DELEGATION OF THE EUROPEAN UNION TO UKRAINE

ASSISTANCE IN DEVELOPMENT OF OPEN AND TRANSPARENT AGRICULTURAL LAND MARKET IN UKRAINE

TWINNING FICHE

DELEGATION OF THE EUROPEAN UNION T0 UKRAINE

ASSISTANCE IN DEVELOPMENT OF OPEN AND TRANSPARENT AGRICULTURAL LAND MARKET IN UKRAINE

TWINNING FICHE

Table of Contents

ABBREVIATIONS **1**

1 BASIC INFORMATION **2**

1.1 PROGRAMME: EUROPEAN NEIGHBOURHOOD AND PARTNERSHIP INSTRUMENT (ENPI).- ACTION PROGRAMME 2009, CRIS REF. 21364 2
1.2 TWINNING NUMBER: 2
1.3 TITLE: ASSISTANCE IN THE DEVELOPMENT OF AN OPEN AND TRANSPARENT AGRICULTURAL LAND MARKET IN UKRAINE 2
1.4 SECTOR: AGRICULTURE 2
1.5 BENEFICIARY COUNTRY: UKRAINE 2

2 OBJECTIVES **2**

2.1 OVERALL OBJECTIVE 2
2.2 PROJECT PURPOSE 2
2.3 CONTRIBUTION TO NATIONAL DEVELOPMENT PLAN/COOPERATION AGREEMENT/ ASSOCIATION AGREEMENT/ACTION PLAN 2

3 DESCRIPTION **4**

3.1 BACKGROUND AND JUSTIFICATION 4
3.2 LINKED ACTIVITIES (IN CONNECTION WITH EXTERNAL INTERNATIONAL AND DOMESTIC INITIATIVES) 8
3.2.1 The Ukrainian - European Policy and Legal Advice Centre (UEPLAC), an EU funded Project 8
3.2.2 EU Tempus Project on Development of new Land Governance Studies (159184 Tempus 2009-SE-JPCR) 8
3.2.3 USAID 9
Agroinvest 9
Ukraine National Initiative to Enhance Reforms (UNITER) 9
3.2.4 The World Bank Rural Land Titling and Cadastre Development Project (2004-2012). 9
3.3 EXPECTED RESULTS 11
3.3.1 Result 1: Improvement of the existing land management and land administration legal and institutional frameworks 11
3.3.2 Result 2: Improvement of secondary land-related legislation on the basis of best EU practices .. 12
3.3.3 Result 3: Increased professional capacity of professional staff involved in land management or in land evaluation 15
3.4 ACTIVITIES 15
3.4.1 Activities in Component "O": Kick-off, Closure of Project, Steering Committee Meetings 15
3.4.2 Activities in Result 1: Improvement of the existing land management and land administration legal and institutional frameworks 16
3.4.3 Activities in Result 2: Improvement of secondary land-related legislation on the basis of best practices 20
3.4.4 Activities in Result 3: Increased professional skills of staff involved in the six priority sectors of land administration 28
3.5 MEANS / INPUTS FROM EU MEMBER STATE PARTNER ADMINISTRATION 32
3.5.1 Profile and Tasks of the Member State Project Leader 32
3.5.2 Profile and Tasks of the Resident Twinning Advisor (RTA) and of his/her Assistants 33
3.5.3 Profile and Tasks of Short - Term Experts (STE) 35

4 INSTITUTIONAL FRAMEWORK **35**

5 BUDGET **36**

6 IMPLEMENTATION ARRANGEMENTS **36**

6.1 IMPLEMENTING AGENCY RESPONSIBLE FOR TENDERING, CONTRACTING AND ACCOUNTING 36
6.2 MAIN COUNTERPARTS IN UKRAINE 37
6.2.1 Main Twinning Beneficiary: 37
6.2.2 Programme Administration Office (PAO), and its Role 37
6.2.3 Project Leader - Ukraine: 38
6.2.4 RTA - Counterpart 38
6.3 CONTRACTS 38

7 IMPLEMENTATION SCHEDULE (INDICATIVE) 39

7.1 LAUNCHING OF THE CALL FOR PROPOSALS 39
7.2 INDICATIVE START OF PROJECT ACTIVITIES: 39
7.3 WORK PLAN DURATION: 39

8 SUSTAINABILITY 39

9 CROSSCUTTING ISSUES 39

10 CONDITIONALITY AND SEQUENCING 40

10.1 STAFF INPUTS 40
10.2 INFRASTRUCTURE INPUTS 40

ANNEXES TO TWINNING PROJECT FICHE 41

ANNEX 1 - LOGICAL FRAMEWORK MATRIX 41

ANNEX 2 - INDICATIVE IMPLEMENTATION CHART 41

ANNEX 3 –IMPORTANT DEFINITIONS AND KEY CONCEPTS 41

ANNEX 4 - SALR PRESENTATION 41

Abbreviations

i.a.	*Inter alia* (Latin juridical expression meaning 'among others')
CATAPULD	Ukrainian-Netherlands project "Capacity building by Technical Assistance to Programming of Ukrainian Land Development"
CTM	Common Twinning Manual
DEU	Delegation of the European Union to Ukraine
EC	European Commission
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EU	European Union
FAO	Food and Agricultural Organization
LIS	Land Information Systems
LMR	Land Market Regulator
MAPF	Ministry of Agrarian Policy and Food of Ukraine
MoJ	Ministry of Justice of Ukraine
MS	Member State (European Union)
MSPL	Member State Project Leader
NAPA	National Academy of Public Administration of Ukraine
PAO	Programme Administration Office
PCA	Partnership and Cooperation Agreement
PL	Project Leader(s)
PMU	Project Management Unit
RTA	Resident Twinning Advisor
SALR	State Agency of Land Resources of Ukraine
SIGMA	Support for Improvement of Governance and Management
SRS	State Registration Service of Ukraine
STE	Short Term Expert
TAIEX	Technical Assistance and Information Exchange
TEGOVA	The European Group of Valuers Association
TF	Twinning Fiche
TNA	Training Needs Assessment
ToR	Terms of Reference
TWC	Twinning Contract
TWP	Twinning Partner
UCCI	Ukrainian Chamber of Commerce and Industry
UEPLAC	Ukrainian-European Policy and Legal Advice Centre
UNDP	United Nations Development Programme
UNITER	USAID project "Ukraine National Initiative to Enhance Reforms"
VRU	Verkhovna Rada (Parliament) of Ukraine

1 Basic Information

1.1 Programme: European Neighbourhood and Partnership Instrument (ENPI).- Action Programme 2009, CRIS ref. 21364

1.2 Twinning Number:

UA/13/ENP/AG/37

1.3 Title: Assistance in the development of an open and transparent agricultural land market in Ukraine

1.4 Sector: Agriculture

1.5 Beneficiary Country: Ukraine

2 Objectives

2.1 Overall Objective

The general objective of the Twinning project is to support Ukraine in development of the open and transparent agricultural land market in line with the best EU practices.

2.2 Project Purpose

The purpose of the Twinning project is to support State Agency of Ukraine on Land Resources (SALR) in development of an open and transparent agricultural land market in line with the best practices within the EU Member States through improvement of agricultural land market and state-owned land administration frameworks.

2.3 Contribution to National Development Plan/Cooperation Agreement/ Association Agreement/Action Plan

Ukraine is now engaged in a far-reaching economic reform programme, both in terms of domestic policy and in terms of international relationship with the European Union. The main policy framework documents are the EU – Ukraine Partnership and Cooperation Agreement (PCA), the European Neighbourhood Policy (ENP), the European Neighbourhood and Partnership Instrument (ENPI) and the Association Agenda.

This Twinning project is relevant to various national and international policies, such as the National Presidential Plan, the EU - Ukraine Partnership and Cooperation Agreement, the European Neighbourhood Policy and Partnership Instrument and the Association Agenda.

The EU discussion paper on "Land Policy Guidelines", dated November 2004, helps provide relevant details on the project purpose. Therefore, it is worth quoting it as it may contribute to clarify the project purpose, and more particularly the role of rental market to enhance productivity and access. According to the EU, '*land transactions transfer rights to land between users, enabling those with resources to invest to gain access to land and helping to increase the efficiency and productivity of land use. However, land sales markets may be inaccessible to those with limited purchasing power and are distorted by imperfect information and lack of financial services in rural areas. As a result land sales markets can lead to greater inefficiency and inequality through speculation, acquisition of rural land by urban or outside entrepreneurs, and distress sales by the poor. By contrast, land rental markets can be more efficient and fair, and there is evidence of fewer problems associated with markets in tenancy and secondary rights. Rental markets, given adequate guarantees of security for the transacting parties, provide flexible means whereby users can increase or decrease land holdings according to changing needs, without permanently reassigning underlying rights*'.[1]

The envisaged Twinning project is expected to provide valuable added value to the EU-Ukraine development agenda.

The National Plan, adopted by the President of Ukraine in 2012, for instance, as an action plan for implementation of the Programme of Economic Reforms for 2010-2014, provides for the speeding up of economic reforms in all spheres. The Plan is devoting considerable attention to the development of the agricultural sector. It provides for the continuation of land reform, which aims to develop and adopt laws on land market, the state land cadastre, etc.

Ukraine and the EU first established contractual relations in 1994 through a PCA which entered into force in 1998. On that basis, an EU-Ukraine Action Plan was adopted in February 2005; implementation was monitored and reported until November 2009, when it was replaced by the EU-Ukraine Association Agenda. The Association Agenda builds on the substantial progress made in negotiating the EU - Ukraine Association Agreement and includes, inter alia, market reform.

Among EU Multi-country Cooperation Instruments, the Twinning programme is an EU initiative designed to help European Neighbourhood and Partnership countries acquiring the necessary skills and experience to adopt, implement and enforce EU legislation.

Since 2007 Ukraine benefits from the ENPI. The projects bring together public sector expertise from EU Member States and beneficiary countries, with the aim of enhancing co-operation activities.

Last but not least, the Twinning Project Work Plan and Pipeline as of February 28, 2012 indicates that there are in Ukraine 53 Twinning projects, which either have been completed, or are under the stage of implementation, or at various advancement stages of preparation. The country is also often making use of other EU Multi-country Cooperation Instruments such as Support for Improvement of Governance and Management (SIGMA) and Technical Assistance and Information Exchange Project (TAIEX).

[1] European Commission, Brussels, "EU Guidelines to support land policy design and reform processes in developing countries" COM(2004) 686 final19.10.2004 [SEC(2004) 1289]

3 Description

3.1 Background and Justification

The origins of the current Twinning Project are to be found in the efforts of the Government of Ukraine to implement the EU-Ukraine PCA, and more particularly its Annex V relating to the Acquisitions and sales of agricultural land as listed in the list of reservations of the Ukrainian side.

The Ministry of Economic Development and Trade is currently preparing proposals and actions in the sector, for instance, an Action Plan submitted to the President, identifies 12 priority actions. Point 11 of the Plan reads "Create civilised conditions for the land reform which will provide for the protection of ownership rights to land plots, help develop agricultural production and attract investment to the agrarian sector. Legally determine the minimal price on land and ensure the development of rural infrastructure."

The objective of the future Twinning project is featuring the three following characteristics:

- The development of agricultural land market in Ukraine is one of the most important governmental concerns. Ukraine is a strongly developed agrarian country. The development of a land market in rural areas is viewed as a stimulus for the development of Ukraine.
- For Ukraine, it is of the utmost importance to have a market-driven land and agrarian policies based on the emergence of an efficient land market away from the existing shortcomings in this field. Land pricing must comply as much as possible with market economy mechanisms, combined with the need to ensure adequate living conditions for farmers and sustainable conditions of rural development.
- Likewise, it is also of the utmost importance for Ukraine to provide security of land tenure to all types of land owners and land users and to simultaneously ensure that rural spatial planning operates for the benefit of the people and also of the population living in rural areas.

Mindful of these characteristics, the Ukrainian decision-makers accountable for agricultural and rural development need to have at their disposal a set of efficient tools for managing and for “watching” the rural land market.

As regards the latter function of land watch, it aims at fixing land prices in a fair way. The recognition of the land market does not mean, however, that evaluation of land is required only when there is a market for selling and buying land. It is also important to collect data on the value of land even when the corresponding parcels are not deemed to be subject to transactions. In a number of the EU countries, for instance, the number of evaluation operations is in general much bigger than the number of commercial transactions. This is explained by the fact that land evaluations are needed when it comes to a number of land-related activities, such as:, land taxation based on its value, compensation for compulsory purchases by the government, calculation of development taxes, calculation of equities in kind when establishing a commercial company, analysis of land performance in rural areas etc. The observation of land prices is therefore an important component of the agricultural and rural policy of the country.

In this regard, the focus of the Twinning Project is to develop an open and transparent agricultural land market based on the corresponding best practices of EU Member States, taking in consideration the latest views of the European Commission as presented in November 2008 in its reference Document No 4, under the title “Analysing and addressing governance in sector operations”.[2]

---

[2] ISBN 978-92-79-11376-5 - Publisher: The European Commission, Luxembourg.

This general objective is obviously not within easy reach, due to the existing constraints that still prevent the emergence of a full-fledged rural land market in Ukraine. In today's Ukraine, there are reportedly six main areas of constraints.

The given areas of constraints deserve to be identified at this early stage of presentation of the Twinning objectives since they make up the core, so to say, of the project purpose:

- Cultural, political and socio-economic factors. Long-held belief that land is never just a commodity and thus cannot be really traded; fears of land being taken away by the wealthy and mighty; corrupt and not easily accessible judicial system; landowners unaware of real market value of land; market activity limited to trade in equities of agricultural enterprises holding farm land in leasehold (in this case trade in equities serves as a substitute for trade in land rights).
- Land resources may be perceived as high-risk investments, thus increasing transaction costs and reducing demand.
- Bureaucrats may prevent immovable transactions by (sometimes deliberate) misinterpretation of law; induce high costs and delays in the development of registers dealing in land market.
- Limited activity in land market and high interest rates.
- Dealers may place undue reliance on advice and information provided by partial bureaucrats.
- Limited experience of the staff, which in future will have the responsibility to facilitate the sale and purchase of agricultural land plots, and is currently not fully familiar with the tools of rural land policy that one can find in the majority of the EU Member States.

All these constraints shall require specific improvements that will build up the core of the Twinning Project. The given expected improvements should result in a revised land policy, the characteristics of which have been detailed by the European Commission in two of its documents published in 2004 on land policy in certain countries having to solve the same type of land related problems.[3]

Another key result of the expected Twinning Project is also to be found in the existing stage of implementation of the land reform nationwide. In this domain, it is important to remind that the land fund of Ukraine (60.3 m ha) equals to 5.7 % of the territory of Europe. As of 1st January 2011, 51.4 % of land is in private ownership, 48.5 % of land is still in state ownership and only 0.1 % - in collective ownership. Agricultural lands constitute 68.9 % of the total area of Ukraine (arable land makes up 53.8% thereof). The development of commodity markets in Ukraine requires optimal organization of the following markets: labour, land and capital. While labour and capital markets have been developing since the very beginning of the transition period, rural land assets were excluded. This has reportedly contributed to hamper the development of agriculture.

As regards the land reform in Ukraine, it started in 1991. Its main objective was to eliminate the monopoly of the state on land ownership and the establishment of various and equal forms of land ownership. The right of ownership to land is guaranteed by the Constitution of Ukraine. The main legislative act in the land sphere that regulates land relations in a long-term perspective is the Land Code of Ukraine which was adopted in 2001 and entered in force in 2002.

Due to the absence of legal basis of agricultural land market and efficient tools of land market regulation (*inter alia* land cadastre and land registry), a moratorium has been introduced in Ukraine - prohibition on

---

[3] The documents in question from the European Commission are as follows: (i) Communication from the Commission to the Council and the European Parliament COM (2004) 686 final - EU Guidelines to support land policy design and reform processes in developing countries [SEC (2004) 1289] Brussels, 19.10.2004. (ii) EU Task Force on Land Tenure EU Land Policy and Policy Guidelines -Guidelines for support to land policy design and land policy reform processes in developing countries November 2004.

alienation of agricultural land plots through their sale - that limits constitutional rights of owners of land plots provided for by part 2 of Article 14 and part 1 of article 41 of the Constitution of Ukraine and further developed by part 1 of Article 90 of the Land Code of Ukraine (25 October 2001 No. 2768-III): "Owners of land plots shall have the right to sell or otherwise alienate a land plot, lease it, take mortgage against it, give it as inheritance". The moratorium has been prolonged several times, though it blocked the establishment of an operational agricultural land market. Because of the moratorium on agricultural land sales, the biggest segment of land market - agricultural land market - is remaining blocked.

The necessary condition for lifting the moratorium lies in the adoption of the Law of Ukraine "On Land Market". The law 'On the State Land Cadastre' was finally adopted on 7th July, 2011, it is entering into force on 1st of January, 2013, if not further postponed.

The draft law "On Land Market" No. 9001-D was adopted in its 1st reading by the Parliament - Verkhovna Rada - on 9th December, 2011. Considering that this important draft law No.9001-D regulates purchasing and selling agricultural lands, its final adoption has been postponed several times due to strong political debates around this issue.

The draft law "On Land Market" has undergone a lot of critical revisions after its 1st reading. In addition, since December 2011 to date, reportedly more than 1000 amendments to the draft law have been prepared after its first reading. Such high number of amendments shows that the issue of land market is still subject to heated discussions among the members of Parliament, the decision-makers, the experts in land resources, and civil society organizations.

On 6th of September, 2012, Verkhovna Rada refused to include draft 9001-D into the agenda for the 11th plenary session. Instead, on 27th of November, 2012, Verkhovna Rada adopted Law of Ukraine "On Introduction of Changes into Land Code of Ukraine", draft N 11315, providing for prolongation of moratorium till 1st of January, 2016 and making lifting of the moratorium dependent on adoption of Law of Ukraine "On Circulation of Agricultural Land". Thus rendering draft 9001-D obsolete. The Law was passed to the President of Ukraine for signing and promulgation. It is very likely that draft law "On Circulation of Agricultural Land" will be building upon draft 9001-D in its part regarding agricultural land market; that is why below the respective provisions of draft 9001-D will be analysed, with necessary reservations and comments.

The draft law 'On Land Market' (# 9001-D) has six main groups of objectives:

- Protecting interests of farmers, agricultural producers, social rural development, safeguarding social rural infrastructure.
- Establishment of the procedure for sale of land parcels and lease rights for them at land bidding[4].

[4] Procedure for selling land plots of public ownership at auctions was established by the Law of Ukraine № 5077-VI of July 5, 2012, which entered into force on August 19, 2012.

- Facilitating access to banking loans through a new banking institution, the State Land Bank.[5]
- Setting up consolidation schemes, with a view to reaching a sustainable and reasonable size of farms.
- Protection measures to safeguard the farmers from loosing their land, monopolisation of market and excessive concentration of land
- Protection of national souverenity and national food security (restriction of access of foreign capitals)

The future Twinning Project will have a view of introducing a number of far-reaching improvements. The given improvements are expected to take place in the following areas:

- Legal and regulatory framework.
- Transparency of agricultural land market operations.
- Knowledge, experience and skills of the State Agency of Land Resources of Ukraine (SALR) in the field of land management, land administration and land valuation.

Recent Activities in the Sector, Recent Findings, Main Actors and Twinning Stakeholders

On 20th November, 2012, the Verkhovna Rada has extended the moratorium on sale of agricultural land until 1st January 2016.[6] At the same time, it is important to remember that urban land market in Ukraine has never been a subject to any restrictions, and, despite some lack of legal basis, it is operational; with adoption of regulation on land auctions there are virtually no barriers for its further development. The SALR as well as local administrations have practical experience of land market regulation and land appraisal under condition of operational land market. Experts shall also have in mind that in Ukraine, in parallel to and as a hindrance of land market, "free of charge land privatization" is allowed, through which nearly 30 million ha of public land became private. Therefore, the Twinning experts are expected to look into this issue and make an assessment of the appropriateness of further maintenance of the institute of free of charge land privatization, first of all, in view of it being good ground for corruption and abuse of power.

The Twinning Project shall cooperate with the following important stakeholders:

---

[5] Certain rules on State Land banks have already been enacted through other Laws of Ukraine, in particular, Law of Ukraine "On Introduction of Changes into Some Legislative Acts of Ukraine In Respect Separation of Lands of State and Communal Ownership" # 5245-VI of September 6, 2012, which is entering into force on January 1, 2013, and Law of Ukraine "On Introduction of Changes into Law of Ukraine "On Banks and Banking Business" # 5248-VI of September 18, 2012, entered into force on October 13, 2012. The essence of these rules is to the effect that State Land Bank is owned by the state and is not subject to privatization; Cabinet of Ministers of Ukraine is forming the capital of the Bank on account of, *inter alia*, public land plots; State Land bank is exempt from application of general rules on banking and is subject to provisions of land legislation of Ukraine; State Land Bank is having the right to perform transactions with land plots and right to them according to the legislation of Ukraine and its charter.

[6] Respective Law of Ukraine has been passed to the President of Ukraine for signing, but as of December 12, 2012 it is still neither signed nor vetoed.

- Ministry of Agrarian Policy and Food (MAPF) of Ukraine: the policy maker in the field of agriculture, including land policy.[7]
- Parliamentary Committee on Agrarian Policy and Land Relations: it develops and reviews all legislative acts in the field of land relations.
- Ministry of Justice of Ukraine, responsible for land registration and legal analysis of legal acts developed by the government of Ukraine.
- Ministry of Environment and Natural Resources of Ukraine responsible for soil management and quality of the natural resources in Ukraine
- The Ukrainian Chamber of Commerce and Industry, the Ukrainian Chamber of Notaries, American Chamber of Commerce, European Business Association, various law firms, non-governmental organisations, which have published a number of papers on land market in Ukraine.

3.2 Linked Activities (in connection with external international and domestic initiatives)

Two decades after independence, the legacy of the past can still be felt in Ukraine when it comes to the economy of farming and land tenure in rural areas. This is why a number of international and domestic institutions have been actively involved in this sector.

Among those are USAID, the World Bank, the European Business Association, American Chamber of Commerce, German-Ukrainian Agricultural Dialogue, etc. All these organizations are closely following the evolution of the land market in Ukraine. They are regularly making constructive proposals to amend draft acts, in order to facilitate the emergence and development of a land market regulated by institutions that ensure transparency, contractual fairness, equitable dispute resolution and policies favourable to environmentally clean agrarian practices. Since these institutions have gained national and international recognition, a link should take place between them and the expected Twinning project.

The Twinning Project will draw on the lessons learn from the following organisations or technical assistance programmes:

3.2.1 The Ukrainian - European Policy and Legal Advice Centre (UEPLAC), an EU funded Project

UEPLAC is an EU-funded project. Its overall objective is to support the implementation of the Partnership and Co-operation Agreement, the EU-Ukraine Association Agenda and the envisaged Association Agreement, as well as to support all possible policy dialogue. It is now in its 5th phase. A gateway should be established with UEPLAC when implementing the Twinning Project, especially regarding Twinning Result 1, as it deals with improvement of the legal framework on land management and administration.

3.2.2 EU Tempus Project on Development of new Land Governance Studies (159184 Tempus 2009-SE-JPCR)

This Tempus project deals with land governance applied to land management sector. It is part of the Multi-Country Joint Project Priority Curricula Reform (February 2009 – January 2012). Its target group

[7] While this is the role MAPF has to play, it shall be guided in these activities by the Law of Ukraine "On Major Foundations of State Agrarian Policy of Ukraine for the Period Till 2015" # № 2982-IV of October 18, 2005. This Law, among other things, provides for creating conditions for realization and protection of peasants' rights to land, forming market land relations and establishing infrastructure of land market.

includes university scholars, PhD students, students, graduates. The grant holder is Kungsliga Tekniska Högskolan (Sweden). The project's goal is to develop a new master programme in land governance in accordance with the Bologna process and introduce it by September 2012 at two FYROM and four Ukrainian universities.

3.2.3 USAID

Two assistance programmes funded by USAID deserve to be mentioned. One is *Agroinvest*, the second one Ukraine National Initiative to Enhance Reforms (UNITER).

Agroinvest

In the short and the middle run, USAID is expected to continue working, *inter alia,* on agriculture and rural development. The work will be conducted with SALR on AgroInvest USAID pillar 1, namely *agricultural policy*. USAID representatives in Ukraine are reportedly happy about the political will to establish a consensus among stakeholders, including the MAPF and the Ministry of Justice; they understand that the practical implementation of land reform will require time; they also agree that the extension of the moratorium on land sales for another additional year[8] was a necessity. However, they have some dissenting views about the methods of financing transactions in rural areas: in their view there are restrictions that would somehow delay the implementation of an efficient land market, for example the possibility of state pre-emption in every land sale by a new specialized state agency.

Ukraine National Initiative to Enhance Reforms (UNITER)

This programme aims i.a. at strengthening the role of civil society organisations in the delivery of social services in a transparent way. The engineering company Pact Inc, which is in charge of the implementation of this project, is assessing the role of civil society in the land reform of Ukraine. UNITER is reported to work in close relationship with *GURT*, which is a resource centre for societal information and expertise involved in dialogue with civil society organizations (see for more details: www.gurt.org.ua).

3.2.4 The World Bank Rural Land Titling and Cadastre Development Project (2004-2012).

Borrower: Ukraine; implementing agency: SALR. Main objectives of the project: 1) converting land share certificates for the right to ownership of a land share into state deeds/state acts for the right to ownership of a land parcel; 2) making base maps and cadastre index maps; 3) establishment of Unified National State Land Cadastre System

Through this Rural Land Titling and Cadastre Project (US$ 89.7 million) it is supporting the Government in delivering improved services to land-owners through issuance of land deeds and ensuring establishment of an efficient land cadastre system.

Some information about the project achievements: of the 6.9 million land shares to be issued: 98.5 percent of land share certificates have been issued; 95.8 percent have state land deeds drawn up; 91.6 percent have been issued to owners; and 49.2 percent of the state land titles have been included into an automated cadastre system. The land owners have funded much of this work.

 The project has put in place a number of elements for delivering improved services to land owners through improved land management and administration: 692 departments of the SCLR have been outfitted with the necessary equipment for managing land resources and 1,949 SCLR employees have raised their professional qualifications by attending courses on contemporary management practices, land resource usage, and project management.

---

[8] Or even for three more years, up to January 1, 2016, if President does not veto Law of Ukraine "On Introduction of Changes into Land Code of Ukraine", Draft 11315

 Nine universities have ongoing courses in land administration and land management after having received modern surveying and cadastre equipment; 416 university professors and lecturers have been trained in modern land management to further deliver knowledge to a new generation of field specialists.

 Instances of doubt and dispute over property locations are reduced because (so far) aerial surveys have been completed for 440,000 km2 (out of 600,000 km2): orthophotomaps for 364,200 km2 (out of 600,000 km2); and index cadastre maps have been completed for three oblasts and large parts of 19 others (out of 25). Local offices now have the resources to provide quicker and more accurate answers to queries about land rights or overlapping claims.

In the context of this engagement, the Bank has highlighted the importance of ensuring that basic institutional, legal and regulatory conditions are in place to allow a transparent land market to operate prior to lifting the moratorium. The Bank is also supporting a public awareness campaign to inform small land holders of their rights to individual title, as well as their land use rights and obligations.

3.2.7. Specific Bilateral Assistance Programmes with the SALR (Ukraine / Germany and Ukraine / Netherlands)

SALR is beneficiary of the Ukrainian-Dutch cooperation project regarding land, water and forest resources consolidation within G2G program (2010-2012) "Capacity building by Technical Assistance to Programming of Ukrainian Land Development" (CATAPULD). The donor is the Financing Agency of the Ministry of Economic Affairs, Agriculture and Innovations of the Kingdom of Netherlands. The performer is the State Service of Land and Water Management (DLG). The approach of CATAPULD consists of technical assistance, training of Ukrainian partners on land market and land consolidation, discussions about relevant best practises from the Netherlands and also European best practises. Results are a.o. benchmarks, workshops, presentations, written advises and study visits. Ukrainian experts and their Dutch counterparts agreed to specify the key objectives, deepening of cooperation between the Ukrainian Land department and Governmental Service for Land and Water Management of the Netherlands.

It is expected that by the end of the year relevant organizations will identify opportunities and agree on the continuation and broadening of Cooperation between Ukraine and the Netherlands in 2013. It is assumed that the main topics of cooperation will be land market development, land consolidation, development of the State Land Bank, Rural development, Water Management and Environment.

SALR is also a beneficiary of the German-Ukrainian Agricultural Policy Dialogue (since 2002). The donor is the Ministry of Food, Agriculture and Consumer Protection of FRG (BMELV). The main performer is the Association for management and realization of lands (BVVG GmbH). The aim of the project is to foster reformation of land legislation and agrarian policy, considering international experience of Germany and other countries.

The above mentioned project aims at supporting the establishment of a transparent and viable land market with the overall aim of supporting the development of economically viable farm businesses in Ukraine. The project is based on the three advisory components: legal advisory, institutional advisory and advisory for the development of implementation procedures. Its main instruments are a) working group meetings in Kyiv, b) law reviews and c) the answering of ad hoc requests concerning land reform and land management issues of the Ukrainian partners.

Expected results of the project can be summarized as follows:
• Current and new laws concerning the land market and related land management issues have been reviewed and discussed;

• The development of further legal documents and guidelines for implementation of the existing land legislation has been supported and the process of adoption accompanied to a final decision stage;

• Procedures for the implementation of land legislation and basic principles of land management issues have been developed jointly with the partners.

Partners of the project are the German-Ukrainian Agricultural Policy Dialogue from the German side and the State Agency for Land Resources of Ukraine, the Committee on Agriculture of the Verkhovna Rada, the Coordination Center for Economic Reforms at the Presidential Office, the Ministry of Justice of Ukraine and (new starting in 2013) the Association „Ukrainian Society for Land Issues".

3.3 Expected Results

This section presents the results that are expected to be achieved by the end of the Twinning project. As they are mandatory, a list of indicators of achievements is also provided in the text below (benchmarks) and included in the Log Frame attached to the present Twinning Fiche (see Annex No 1). Some output indicators are also mentioned under the section relating to *activities*.

The ratio between the results to illustrate their prioritarisation and to give an indication how man/days and other costs could be allocated between components to achieve the expected mandatory results could be the following[9]: 1st result- 45 % ; 2nd result -35% and 3rd results- 20%,

It is important to always consider the viability of the proposed improvements of the legal and institutional frameworks and how it would affect the existing system to ensure the sustainability of the project results. The commitment of the Beneficiary is one of the main conditions to the Twinning project's success.

3.3.1 Result 1: Improvement of the existing land management and land administration legal and institutional frameworks

Result 1 is focused on enabling SARL to improve, with the Twinning project support, the existing land management and land administration legal and institutional frameworks[10]. In order to clarify the legal and institutional issues in compliance with OECD / SIGMA recommendations, and mindful of the concept of umbrella law in some EU Member States, a draft general land administration law will be prepared. Therefore, the draft law should not have more than 50 or 60 articles, the tools for law enforcement and implementation being subject, later on, to more detailed governmental regulations to

9 Under assumption that all three results alltogether- 100%

10 Land management in Ukraine is a well-established activity of private land surveyors and land valuators consisting of cadastral surveys, cadastral mapping, appraisal of land plots etc. There is a special law – "On Land management" – which regulates activities of the said professions. Land administration, in contrast, is perceived in Ukraine as activities of public bodies entrusted with executive power which activities are related to public land, first of all leasing it out and selling it out; then there are also land cadastre, land monitoring, soil protection, control over land use etc., i.e. all activities discharge of which is associated with functions of public administration. Secondly, agricultural land market is a sphere where primarily private land is going to be traded while land administration functions are mostly concerned with public land. Therefore it is necessary to make a clear-cut distinction when talking about land management and land administration in Ukrainian context.

be prepared by SALR under the control of the Minister of Agrarian Policy and Food of Ukraine as well as by other concerned institutions (like State Land Bank)[11].

BENCHMARKS FOR RESULT 1

- Organizational and functional analysis of the land market key players (SALR functions and of other relevant institutions involved in agricultural land administration and land market regulation, e.g. State Land Bank, local state administration, local bodies of self-governance) has been carried out and recommendations as to its improvement have been prepared.
- Stakeholders have been well prepared to conduct change in legislation, through sensitisation seminars, study visits and internships.
- The existing legislative framework concerning the introduction and operation of agricultural land market has been reviewed. Recommendations on bringing it into compliance with the best EU practices, covering the following topics: i) land market ; ii) land monitoring; iii) land evaluation; iv) state-owned land administration; v) land information system; vi) land cadastre have been prepared.
- A draft concept of state land policy and a building upon the concept draft umbrella land administration law have been prepared and new relevant draft laws listed in the draft umbrella land administration law have been prepared, and submitted, for their future official adoption, to the Verkhovna Rada of Ukraine

3.3.2 Result 2: Improvement of secondary land-related legislation on the basis of best EU practices

Achieving Result 2 will require the preparation of secondary legislation: practical recommendations, guidelines and manuals about the introduction of best regulatory practices and procedures of land market operation and administration of state-owned lands, with the aim at strengthening transparency and accountability principles in the field of land administration as well institutional capacity building of the SALR and other agencies involved.

A number of secondary legislations will be prepared with a view to facilitating the smooth implementation and enforcement of the Land Code, umbrella land administrtaion law and expected law on land market (or on circulation of agricultural land). Each of them will be accompanied by guidelines, manuals and recommendations wherever necessary.

---

[11] The draft of Land ₮ Administration law would not overlap with the draft law "on the Land Market" (or On Agricultural Land Circulation, as the title of the law has been changed to), or with the existing Land Code. It would be much shorter, global and synthetic, being limited to defining the general organisation of land administration in rural and urban areas in Ukraine, and listing the key issues and serving as policy guidelines for all bodies of public administration involved into land administration in rural areas and rural land market regulation (as soon as currently there is no a single body or company performing actual administration of public land; instead there are hundreds of local state administrations and thousands of local elected bodies (Radas) discharging this task having at their disposal often imperfect or incomplete and conflicting laws but no clear and formal unified policy to be followed. This system is good from the point of view of its decentralized nature, but it is not as good as a decentralized system operating under uniform policy). Global coherence would have to be ensured between all texts dealing with land administration in rural and urban areas in Ukraine and with land market regulation as well as their consistency with official state land policy.

These will include anti-corruption measures and proposals on how to improve the land market transparency through possible insturments such as public hearings, publicity in concluding contracts about lands of agricultural purpose, new approaches towards free of charge land privatization etc.

SALR has the duty of making proposals to the government through MAPF with a view to amending the legal framework. Secondary legislation may have to deal with the following issues:

Securing easy access to land information

As de facto regulatory authority, the SALR is in a position to improve the transparency of land market by using all available tools for ensuring freedom of access to land information, as it is frequently the rule in several EU Member States.

Inspired somehow by the EU Regulation No 1049 / 2001 of the European Parliament and of the Council of May 30, 2001 regarding public access to European Parliament, Council and Commission Documents, the regulation to be prepared by SALR with the assistance of the Twinning programme shall deal *inter alia* with: the purpose of the right of access, the list of beneficiaries of the right of access, the definition of the concept of "land information", the exceptions to the principle of the right of access, and the procedures for securing easy access to land information (these issues shall be dealt with taking into account those venues which have already been established by the Law of Ukraine "On State Land Cadastre" and Law of Ukraine "On State Registration of Real Rights to Immovable Property and Encumbrances Thereof" for accessing land information).

Regulatory practices as an additional tool for ensuring transparency in rural land market and state-owned land administration

It is desirable that the Twinning Project focus in one way or another on the procedures of *regulatory practices*.

The concept of regulatory practices should not be confused with the mere concept of regulation, which has a totally different meaning: contrary to regulatory practices, the word *regulation* corresponds to a unilateral decision by a decision maker. In the economic field, regulatory practices may refer to the mechanisms that aim at raising a consensus among all stakeholders in a given sector, such as for instance in the domain of administration of state-owned lands. The rationale underlying the concept of regulatory practices is not to impose, but to convince all participants in a given area. The need for regulatory practices appears in sectors where market conditions promote the formation of monopolies or oligopolies - example: the land market. Regulatory practices then have to combat the formation of a monopoly.

The task of ensuring transparency in land use and land transactions is sometimes given in certain EU Member States to a regulatory authority, independent from both public authorities and from economic players, with the mission to ensure that competition and fair treatment is effective, *at arm's length*, and sustainable.

However, the same tasks can also be carried out directly by the SALR without the need of new statutory reforms. *As* regulatory authority, the SALR is in a position to improve land market transparency while conducting public hearings, opening ways for public access to land information via Internet and publicity in land transactions, thus contributing to the fight for transparency.

Land consolidation, a sector of public intervention where transparency is required under the responsibility of the SALR

The second mandatory result, which can also be based on regulatory practices, is closely linked to the conditions of land information management and of transparency. A specific field of application of procedures of this type is met in the implementation of land consolidation: single consolidation vs. integrated consolidation scheme; this will certainly not be contested by the Dutch-Ukrainian team of the CATAPULD project implemented in SALR, which has addressed this topic for the last months.

Bearing this remark in mind, it is understandable that the SALR shall be also responsible for carrying out pilot operations on how to best carry out single consolidation schemes as well as integrated consolidation schemes. Actually this role of SALR is provided for by draft Law on land market (9001-D) although prospects of this draft are rather unclear at the moment. This item is therefore also part of the 2nd group of mandatory results.

Use of multipurpose cadastral system information as a tool for ensuring transparency in land management

The second mandatory result will lead to orientate the Twinning Project towards the best method for implementing a multipurpose cadastre system, in execution of the recently enacted law *On State Cadastre* dated 7 July 2011.[12]

Transparency when collecting land-related data

A reliable method is firstly needed to ensure transparency in the observation of the rural land market and collecting land-related data. This is a minimal condition to ensure that data are not distorted and are fully reliable for whatever use they may be intended to.

In conclusion, the second mandatory result of this Twinning project shall consist of a series of key draft regulations, corresponding to the above-listed issues. This work shall be carried out bearing in mind the consistency with the main principles, proclaimed by the draft general land administration law.

BENCHMARKS FOR RESULT 2

- Practical recommendations about the introduction of best regulatory practices and procedures of rural land market operation and the administration of state-owned lands have been prepared. Relevant guidelines and manuals have been developed.
- SALR institutional capacity is increased and SALR is prepared for playing the role of a Land Market Regulator
- Stakeholders awareness about LMR has been raised
- Measures have been proposed to decrease corruption in the agricultural land market
- Measures have been proposed to increase market transparency in the public land administration
- Regulatory practices covering the six priority sectors of land policy have effectively been taken into consideration in a number of secondary legislations

[12] Data West Research Agency definition of a multipurpose cadastre system: "An integrated land information system containing legal (e.g., property ownership or cadastre), physical (e.g., topography, man-made features), and cultural (e.g., land use, demographics) information in a common and accurate reference framework. The reference framework typically is established with rigorous geodetic and survey control standards, such as the state plane and latitude/longitude coordinate systems. The Cadastre is made up of multiple independent, interrelated layers commonly used to describe the graphic component of a GIS database. Each layer contains a set of homogeneous map features registered position ally to other database layers through a common coordinate system. Data are separated into layers based on logical relationships and the graphic portrayal of sets of features."

3.3.3 Result 3: Increased professional capacity of professional staff involved in land management or in land evaluation

This third mandatory result shall focus on the professional capacity of the SALR with a view to improving it in the sphere of land relations, in particular, in the administration of state-owned land and in lands valuation and other priorities issues.

The third mandatory result of this Twinning project shall consist of a comprehensive training programme for the SALR staff, both in its Headquarters in Kyiv and also in its all regional offices nationwide.

BENCHMARKS FOR RESULT 3

By the end of month 19 (see detailed Indicative Implementation Chart in Annex 2):

- Training Need Analysis (TNA) conducted
- Training plan drafted
- Training material prepared
- 100 of staff of SALR trained; distance learning material applied in practice
- Guide for SALR professionals on agricultural land market distributed.

3.4 Activities

The above listed mandatory results shall be achieved on the basis of activities, which are described below. These activities are grouped under the three results presented above in addition to the so-called "Component "O", which is of mere organizational essence for the smooth functioning of the Twinning Project. Each group of activities to be found under the three sections 3.4.2 to 3.4.4 is related to each mandatory result (section 3.4.2 for Result 1, section 3.4.3 for Result 2 and section 3.4.4 for Result 3).

3.4.1 Activities in Component "O": Kick-off, Closure of Project, Steering Committee Meetings

The key tasks of the component "O" will be as follows.

Activity 0.1: Kick off Conference

This activity will include a presentation of the project to SALR staff and representatives of the sector, including representatives of international organisations, all stakeholders of the land sector within Ukraine, including the relevant governmental bodies, representatives of the media and Non-Governmental Organizations.

Activity 02: Steering Committee meetings

A Steering Committee meeting will be held every three months (see also Section 6 Implementing Arrangements)

Activity 03: Final Conference

This final event will involve key MS and SALR officials, EUD officials, representatives of the PAO, representatives of international organisations, and other stakeholders within Ukraine, including the

relevant government bodies. Representatives of the media could also be invited. The purpose of this meeting would be to raise general and public awareness of the Twinning Project within Ukraine.

On the occasion of this venue, which could have the format of conference, the component leaders and key MS experts shall report on results achieved.

3.4.2 Activities in Result 1: Improvement of the existing land management and land administration legal and institutional frameworks

There will be five sub - groups of activities in Result 1: i) organizational and functional analysis of the SALR and other public bodies entrusted with functions of public land administration and preparation of recommendations; ii) conduct of sensitisation seminars involving SALR staff and stakeholders; iii) comparative/ gap analysis with a view to achieving a fact-finding report on how land market is functioning in the EU country and more generally within the European Union, covering the following six priority sectors: land market, land monitoring, land evaluation, state-owned land management, land information system and land cadastre; iv) support to the preparation of a draft general land administration law, focusing on land market and based on the umbrella law making technique ; v) two study visits and two internships for best preparing the expected draft umbrella land legislation.

Activity A.1: Organizational and functional analysis of the SALR and preparation of recommendations

BRIEF DESCRIPTION OF THE ACTIVITY

SALR is the organisation that will be supported by this Twinning Project to accompany the on-going land reform leading to the development of an open and transparent agricultural land market in Ukraine. Taking that huge responsibility into account, it is indispensable that SALR prepares itself to those changes. The starting point of such preparation is the conduct or an organisational and functional analysis of SALR and the preparation of recommendations in line with the new responsibilities expected from SALR in future.

INPUTS

To conduct the organisational and functional analysis and prepare recommendations, a budget provision has been made for the recruitment of a team of MS experts. Number of experts, of working days and of missions will have to be determined.

OUTPUTS

- Methodology of intervention
- Detailed planning of intervention
- Intermediate report of each expert
- Final consolidated report
- An organisational and functional analysis of SALR, including recommendations, is available.

DEADLINE for achievement of A.1: three months after the kick-off conference.

Activity A.2: Conduct of sensitisation seminars involving SALR staff and stakeholders

BRIEF DESCRIPTION OF THE ACTIVITY

A few sensitisation seminars will be organized by the SALR with the support of the Twinning Project, with themes directly related to the six priority sectors covered by the Twinning Project, namely: land market, land monitoring, land evaluation, state-owned land administration, land information system and land cadastre. Participants will be selected SALR staff and key stakeholders involved. This will make the organizational and functional analysis more transparent and more sustainable.

INPUTS

To support SALR in the conduct of seminars, a budget provision has been made for the recruitment of a team of MS experts. Number of experts, of working days and of missions will have to be determined.

- Outputs Several sensitisation seminars conducted
- Reports from the seminars available.

DEADLINE for achievement of A.2: three months after the kick-off conference.

Activity A.3: Comparative/ gap analysis with a view to achieving a fact-finding report on how land market is functioning in the EU country and more generally within the European Union, covering the following six priority sectors: land market, land monitoring, land evaluation, state-owned land administration, land information system and land cadastre.

BRIEF DESCRIPTION OF THE ACTIVITY

Short term expert missions will be mobilized, in order to draft a fact-finding report showing the needed technical adjustments or refurbishments of the legal and institutional frameworks on land market as a whole. This gap analysis, which will be edited under the logo SALR, will therefore give details about how the land market is functioning in the partner EU Member State and more generally within the EU, and which conclusions should be drawn from a benchmarking comparison in terms of land market between Ukraine and the partner country covering the six priority sectors.

INPUTS

MS senior experts, specializing in the six following legal sectors (as previously defined): land market, land monitoring, land evaluation, state-owned land administration and land information system and land cadastre, will be engaged.

Number of working days and of missions to Ukraine will have to be determined later on and according to SALR needs.[13]. It is likely that those experts will be the same as those involved in A.4 and B.8.

The duration of involvement of the experts, which is needed for the preparation of the gap-analysis, will be three months. (month 2 to month 4 in the planning). This includes short-term experts and translators.

OUTPUTS

[13] This activity is central and will require in depth investigations in each of the six priority sectors. It requires the involvement of highly specialised senior experts (one for each sector). From experience of carrying such reforms in other countries, it is not possible to carry the work required with a low volume of expertise.

Gap analysis is available the existing conditions of enforcement and implementation of the Ukrainian legislation in the field of introduction and operation of a land market and administration of public land covering the following six topics: land market, land monitoring, land evaluation, state-owned land administration, land information system and land cadastre.

The recommendations of the report will deal with the possible measures to improve, the existing land market legal and institutional frameworks. The gap analysis work will be presented and discussed with SALR staff and other relevant stakeholders during a workshop and adjusted on the basis of comments received.

DEADLINE for achievement of A.3: three months after the kick-off conference.

Activity A.4: Support to the preparation of a draft general land administration law, focusing on land market and based on the umbrella law making technique

BRIEF DESCRIPTION OF THE ACTIVITY

Activity A.4 is the most important activity of the Twinning project as soon as currently there is no a single body or company performing actual administration of public land; instead there are hundreds of local state administrations and thousands of local elected bodies (Radas) discharging this task having at their disposal often imperfect or incomplete and conflicting laws but no clear and formal unified policy to be followed. This system is good from the point of view of its decentralized nature, but it is not as good as a decentralized system operating under uniform policy. It will consist in the preparation of a draft concept of public land administration and a draft land administration law, focusing on land market and based on the umbrella law making technique.
The proposed draft general land administration law will cover each of the six priority sectors of land management presented above[14].

INPUTS

The carrying out of the above listed activities shall require from the Twinning Programme that it will put at the disposal of the SALR, short term senior experts, specializing in the six following priority legal sectors (as previously defined): **land market, land monitoring, land evaluation, state-owned land administration, land information system and land cadastre**.

Tentatively a budget provision has been made for this recruitment and the number of experts, working days and missions should be determined later on. It is likely that those experts will also be involved in A.3 and B.8.

Among the other needed resources, one should include the involvement of translator for each of the above listed six priority sectors of land-related issues.

A provision has been made for interpreters, in addition to the project assistant who will also be able to play interpreter role occasionally[15].

The duration of involvement of the staff, which is needed for the preparation of the draft umbrella law, will be four months for the entire team involved in the preparation of the drafting of the umbrella draft (month 2 to month 5 in the planning). This includes short term experts, and translators.

OUTPUTS

---

[14] Idem

[15] It would not seem realistic to leave the project assistant alone with all interpretation work.

A draft concept of land policy and draft general land administration law is available, presenting the main tools of state intervention in the following six priority sectors: **land market, land monitoring, land evaluation, state-owned land administration, land information system, land cadastre**.

Based on this overall assessment, it is clear that the current land market draft law needs to be improved by way of benchmarking with certain European best practices. This drives to focus now on the activities to be carried out in the field of law making.

Based on this environment, it is clear that the activities with respect to Result 1 will be devoted by essence to the review of the existing land market legislation by using the umbrella law making technique. The output of A.4 shall therefore consist of a draft umbrella law covering issues of public land administration and land market regulation, prepared according to the patterns previously mentioned under the section Result 1, this type of law making process being defined by reference to the parliamentary habits of the majority of EU Member States, as previously observed - see footnote 4.

The umbrella law-making technique will prove very useful as this new category of legislative normative act will serve as the mandatory reference for all secondary legislation - see activities under Result 2 below - in the field of land policy, including in the area of land market, thus avoiding lengthy debates and risks of inconsistency in the legal framework of the country.

Each group of issues could be a chapter of the draft law in question, provided that the draft law limits its scope of legislative intervention to mere legal, institutional and governance overall principles.

DEADLINE for achievement of A.4: four months after the kick-off conference

Activity A.5: Study visit and internship for preparing the expected draft umbrella land law

BRIEF DESCRIPTION OF THE ACTIVITY

An important component of the first group of activities will be a study visit and an internship (i.e. giving BC officials the opportunity to spend time and work in MS administrations) to take place in the selected EU Member State. Selected staff of SALR will gain first-hand experience on best practices regarding the conditions through which Ukraine is addressing the preparation of a general land policy legislation covering a number of sectors in terms of land monitoring, land use, land management etc.

The study tour is meant for SALR high level policy makers (a member of the Parliament could be possibly invited to take part in the study tour to increase political leverage and to ensure political support of the Law when it comes to its voting in the Parliament)

Following the results of the study tour, an internship for SALR officials in charge of respective areas such as land monitoring, land use, land management, etc could be sent to EU MS to gain more practical experience and study how the routine work is being organised in these areas. It is expected that staff members selected for internship will have sufficient command of English.

INPUTS

The number of participants (up to 5) in the study visit and in the internship (up to 5) will be determined by the Beneficiary Administration together h with the Twinning team based on selection criteria agreed with the Delegation. A member of the Twinning team and a translator shall accompany the group of SALR participants during the study visit with duration of maximum 5 working days. The duration of the internship could be around 1 week.

OUTPUTS

Study visit involving up to 5 BC high level representatives and internship involving up to 5 middle-rank SARL representatives have been organised.

The study visits/internship reports are available, written by SALR staff explaining the possible pros and cons of certain approaches applied in the visited EU country.

Recommendations or policy paper is developed by the SARL with assistance of the Twinning experts reflecting the conclusions of the mission reports mentioned above offering various possible scenarios as to land policy development, pros and cons. High ranking SALR decision-makers are in position to take informed decision as to the guiding principles how the umbrella law is to be developed.

DEADLINE for achievement of A.5: three-five months from the project start

3.4.3 Activities in Result 2: Improvement of secondary land-related legislation on the basis of best practices

When the preparation of the draft general or umbrella legislation will have been completed, the time will come for preparing the needed secondary legislation, under the form of decrees, decisions or instructions to be prepared by SALR/ MAPF / Cabinet of Ministers, according to respective competences. The umbrella law-making technique described above under A.4 will prove very useful at this stage, as this new category of legislative normative act will serve as the mandatory reference for all secondary legislation in the field of land policy, including in the area of land market, thus avoiding lengthy debates and risks of inconsistency in the legal framework of the country.

As regards the scope of work under the groups of results 2, it shall look like a cluster of activities. The activities in question shall aim at approximating towards the above listed four groups of governance principles. It should be sufficient to use the tools of secondary regulations for securing and carrying out the given clusters of activities.

There will be eight sub - groups of activities in Result 2: i) completion of a hand out manual explaining the key issues at stake in the six priority sectors of rural land policy; ii) getting the SALR to also provide services as a de facto Land Market Regulator; iii) raising awareness of stakeholders as regards the new concept of Land Market Regulator; iv) narrowing the corruption niches; v) definition of rules on how to improve public hearings as an instrument to increase land market transparency; vi) supporting Ukraine in the field of Land Information Systems; vii) organisation of a study visit to the twinning EU Member State; viii) preparing secondary legislation in the six priority sectors of land policy. These activities are described below.

Activity B.1: Completion of a hand out manual explaining the key issues at stake in the six priority sectors of rural land policy

BRIEF DESCRIPTION OF THE ACTIVITY

As regards the contribution of Activity B.1 to project Result 2, it shall firstly take the form of a hand out manual, officially reflecting the views of the SALR as regards regulatory practices and procedures of land market operations and administration of state-owned lands. This manual will be prepared by SALR staff with the support of the Twinning Project. This activity is a key one, as the Twinning Project is aiming at supporting a significant change in SALR role to a *de facto* Market regulator. The manual will be divided into six chapters, each chapter dealing with one priority sector of land policy. The hand out manual will cover, among others, the following topics: Observing and analysing transactions; Regulating stakeholders; Training; Technologically advanced land and property registration department; Transparency; Monitoring market prices; Stakeholder protection; Registration dues; National standards & quality assurance; Employment and business opportunities; SALR acting as a guarantor for good governance rules. The role of the Twinning project here is to transfer concrete experience from the EU

in those fields to SALR and assist SALR in translating this experience into an operational manual that will serve as a reference for action by SALR staff throughout the country (a sort of SALR "bible").

The given manual will be also used for training, in compliance with the mandatory Result 3, also ensuring distance training of the staff of SALR in all regional or Oblast offices of SALR (see activity C.5 below). The manual shall be translated into Ukrainian and made publicly accessible vie web-site of SALR as well as of professional associations and other NGOs.

INPUTS

Tentatively a budget provision has been made for the recruitment of MS experts. Number of experts, working days and missions will be determined later on.

OUTPUTS

A hand out manual has been completed by SALR with the support of the Twinning project, reflecting the views of the SALR as regards regulatory practices and procedures of land market operations and administration of state-owned lands. Manual is made available for general public.

DEADLINE for achievement of B.1: eight months after the kick-off conference.

Activity B.2: Getting the SALR to provide services as a *de facto* Land Market Regulator

BRIEF DESCRIPTION OF THE ACTIVITY

The role of a Land Market Regulator (LMR) could be played by the SALR, without embarking upon an additional administrative body. To prepare such a decision, it will however be needed to first agree on the list of tasks of such a land market regulator. Following this, it will be needed to remind that as a LMR, the SALR shall have to abide by so-called good governance rules.

The types of functions to be carried out by a LMR are as follows bearing in mind the solutions experimented by several EU Member States.

- **Observing and analysing transactions:** This expression does not mean *controlling* the transactions. It merely refers to overseeing land sales, leasing, licensing and land transaction activities in Ukraine and interfering only when violations of procedures occur.
- **Regulating stakeholders**: Initiate steps to legislative rules, regulations, professional ethics, and responsibility for licensing and recognizing all individuals, firms / companies and associations (whether public sector, private sector of foreign firm) operating in the rural / agricultural land sector in Ukraine.
- **Training:** Be an enabler and facilitator for attracting private / public sector firms that offer education and training to individuals or farmers as Market intermediaries - brokers, valuers, other business consulting services - in the land management and administration sector.
- **Technologically advanced land and property registration department:** in line with the progress made in this sector in connection with the World Bank supported project dealing with the cadastre. The process of registration of immovable transactions is planned to be technologically advanced, where rights are guaranteed by the existing legislation in force.
- **Transparency**: Ensure and encourage transparency in all land sector transactions by making information available by online media and also through periodic publications in print media issued by a public authority (like SALR for example).

- **Monitoring market prices:** Review and set up a system for monitoring and managing trends in market prices - rental values, capital values - for all asset classes.
- **Stakeholder protection:** Work along with other related government bodies and where necessary, initiate all steps within its controls that would be required to legislative rules and regulations related to professional ethics and for ensuring protection to all stakeholders and to initiate steps to lay down stringent deterrents to prevent fraudulent sales / lease transactions or prevent the practice of understating of transaction value to avoid payment of taxes or dues.
- **Registration dues:** Review, whenever needed, the process for calculating fees or taxes or dues for immovable property transactions in Ukraine.
- **National standards & quality assurance:** LMR would be responsible for development and implementation of national standards for all areas of land management & administration that are related to LMR functions.
- **Employment and business opportunities:** to encourage and promote growth in employment and business opportunities in the land management and land administration sector in Ukraine.

When it comes to the method for ensuring openness and transparency in sector governance, the EC has listed in 2008 a number of Governance principles, which, in the view of the EC, are key challenges to be observed in all occasions of public management.[16]

It is most useful to remind the given principles at the current stage, and more especially when managing state-owned lands. This shall have to be done mindful of the four key following governance principles.

- ***Participation:*** It aims is at improving the overall quality of participatory approaches consistent with local conditions and culture. The main issues at stake are as follows:
  - To what extent have the various actors been enabled - e.g. in terms of timely information and capacity support - to effectively participate in sector policy dialogue? Are existing, informal consultation mechanisms factored in?
  - Are the right process conditions in place to promote ownership of sector reforms, e.g. in terms of information flows; credible dialogue mechanisms; transparent decision-making processes; monitoring systems?
  - Is participation properly organized in the various phases of the sector programme? Is participation organized in accordance with the legal framework, taking into account the legitimate role division between the various actors?
- ***Inclusion*****:** the rationale underlying this second key principle of governance is to promote social inclusion which matches the pace of the outreach capacity of service providers and regulators. As regards the key issues at stake, they are as follows:
  - Is there room for marginalized groups to promote their interests and balance elite interests?
  - Are gender imbalances addressed?
  - Are relevant data available about possible exclusion from access to services in the sector?
  - Under what conditions will decentralization of service delivery contribute to or hinder equitable access for poor and marginalized groups?

---

[16] European Commission, Reference Paper No 4 (November 2008): "Analysing and Addressing Governance in Sector Operations (in Tools and Methods Series) - Promoting governance principles in sector operations".

- ***Transparency*:** this requirement aims at promoting a culture based on the 'right to information' with regard to public policies and budgets. A number of issues are at stake, namely:
  - What measures will be effective in terms of increasing access to information and transparency?
  - What type of support would help to put in place a transparent framework for tracking public finance and expenditure throughout the process?
  - Does the transparency framework apply to the various actors in the sector: public agencies, civil society organizations, private sector, donor agencies?
  - Are relevant policy documents, studies, audits, evaluation reports, etc. systematically made public?
  - Are overseeing agencies functioning properly?
  - Make information about budget. The range of possible actions is fairly broad, and can be broken down into three clusters:
    a. actions that strengthen the supply side for improving governance;
    b. actions that strengthen the demand for improving sector governance, and;
    c. actions that deal with governance constraints outside a particular sector.
- ***Accountability*:** The purpose of this governance principle is to distinguish between various types of accountability: political, social, and managerial. The main questions are as follows:
  - To what extent is information available on existing accountability mechanisms and ways to use them?
  - To what extent are the necessary checks and balances in place and operating to check on the use of State power? How can the horizontal accountability mechanisms realistically be strengthened?
  - How can the vertical, citizen-led accountability mechanisms be strengthened?
  - What kind of support could be provided to civil society organizations to enable them to play their role in policy processes and performance monitoring?

INPUTS

A Twinning expert having experience in the field of land market regulation, as previously described, will be given the responsibility to develop initiatives in the field over a total period of six months (to take place, with some flexibility, between month 2 and month 9 of the planning period).

Tentatively a budget provision has been made for this expert over that period, with trips to Ukraine. It is likely that this expert will also be involved in activities of Result 1 above.

OUTPUTS

An hand out material will provide practical recommendations about the rationale underlying the possible establishment of a mechanism of Land Market Regulator operating at arm's length, in other words in a context of neutrality towards all stakeholders in the field of land management. The SALR, as previously underlined, could play this function of LMR, without any needed change in its legal status. The rationale underlying the establishment of an LMR will be to merely adjust the tasks of SALR. This institution will

therefore remain a purely administrative body reflecting the views of the Ministry to which it is reporting, but it would also become a kind or de facto land market regulator.

A policy paper offering various scenarios will be prepared with assistance of the Twinning experts and discussed with wide circles of stakeholders.

Deadline: for achievement of Activity B.2: eight months after the kick-off conference[17]

Activity B.3: Raising awareness of stakeholders as regards the new concept of Land Market Regulator

BRIEF DESCRIPTION OF THE ACTIVITY

The Ukrainian society as well as the Ukrainian public authorities is not yet familiar with the concept of Land Market Regulator working in an arm's length position within the specific sector of land management and land administration. Therefore, the activity shall strive to approximate towards the concept of LMR mainly on the basis of a strict difference to be made between the respective domains of interventions of the primary legislation and of the secondary legislation.

The task of awareness-raising will probably require time and a number of energetic efforts. The Twinning team will have to issue pamphlets for distribution to stakeholders, explaining the new role of SALR, as a Land Market Regulator and the practical implications of such change for them. The Twinning Project will have to train decision makers, to facilitate their adaptation to the consequences of these changes for them. The Twinning team will also have to carry out lobbyism work at parliamentary and governmental level, in order to make sure that the new role of SALR will be understood and accepted by Parliament and government. Lobbying will also have to be carried out towards the various tiers of local government in rural areas.

INPUTS

The needed human resources for this achievement will be a Twinning short term expert involved in the project over a total period of three months. He or she will have a small team of national experts and a translator will be at the disposal of this expert during his / her assignment period in the Twinning programme.

A Twinning expert having experience in the field of awareness-raising will be given the responsibility to develop initiatives in the field over a total period of three months (to take place, with some flexibility, between month 2 and month 9 of the planning period).

Tentatively a budget provision has been made for this expert over that period, with trips to Ukraine. It is likely that this expert will also be involved in activities under Result 1 above.

OUTPUTS

The indicators of achievements will be a series of leaflets or short papers disseminated in all SALR regional offices under the seal of the Chairman of SALR, explaining to all main stakeholders in the field of land market or land monitoring or land administration, what the function of land market regulator exactly means.

---

[17] In view of the Constitutional requirement that bodies of public administrtaion shall act in accordance with the law and by means provided for by law, the issue of appointment of land market regulator (LMR) shall be settled respectively by assigning the competences of LMR either to MAPF or SALR or State Land Bank or other body. Such assignment shall be done through inclusion of necessary provisions into Regulation on MAPF or SALR (approved by the President) or into draft law of land market (or circulation of agricultural land).

On-job training about new role of SALR for decision makers and staff of the SALR.

DEADLINE for achievement of Activity B.3: twelve months after the kick-off conference.

Activity B.4: Narrowing the corruption niches in agricultural land markets

BRIEF DESCRIPTION OF THE ACTIVITY

In the farming and agricultural sector, openness and transparency in the decision making process are of the utmost importance. However, each main step in the land administration sector can offer possible niches of corruption. SALR has an Internal Investigation Unit (IIU) that is operational and already deals with corruption in the sector. The activity of the Twinning programme anti-corruption expert will mainly consist in support to the IIU in strengthening its tools to fight corruption in the farming and agricultural sector, and proposing amendments to existing or draft regulations in order to decrease the niches of corruption existing in the current/new legislation/regulations (with special focus on the issue of free of charge privatization of land). This work will be transversal, as the anti-corruption expert will examine all regulations (existing or proposed by the Twinning programme) with a view to narrow those corruption niches, and therefore work in the six priority sectors of the Twinning programme, namely land market, land monitoring, land evaluation, state-owned land administration, land information system and land cadastre.

INPUTS

To make the task in question feasible, an anti-corruption Twinning expert will be working over a period of time of three months. At the end of this period, he / she will have made a series of proposals on how to reduce the said corruption niches, and he / she will participate in the review and the preparation of all draft regulations having a possible impact on the level and the niches of corruption. This research will be somehow referred to in the amendments to the existing regulations in force. Only the administrative authorizations, which are really needed for the efficient administrative work, will remain enforceable, whereas those which are just of cosmetic importance will be abandoned.

OUTPUTS

- A precise list of corruption niches is defined as well as a list of recommendations on how to eliminate them.
- New tools for strengthening the fight against corruption in the land market and public land administration have been made available to SALR.

DEADLINE for achievement of Activity B.4: twelve months after the kick-off conference

Activities B.5: Definition of rules on how to improve public hearings as an instrument to increase land market transparency

BRIEF DESCRIPTION OF THE ACTIVITY

Following is a reminder of the way through which public hearings are conducted. SALR would be well-advised to discuss with the Twinning team the conditions through which SALR could approximate towards a theoretical model, capable to secure an open and concrete participation of land stakeholders and civil society organizations in the field of public hearings, which is reportedly not the case to date.

A public body's decision on a quasi-judicial matter must be based on and supported by the *record* in that matter. The *record* consists of all testimony or comment presented at the hearing and all documents or exhibits that have been submitted in connection with the matter being considered. All documents, including maps, drawings, and staff reports, should be admitted as numbered exhibits during the public hearing. All quasi - judicial hearings should be tape recorded. If a quasi-judicial decision is appealed, the court will require a transcript of the hearing, which can be made from the tape. Tape recording of legislative hearings is not required.

INPUTS

The activities B.2 will be carried out by the short term Twinning expert specializing in state-owned land administration as mentioned above under the group of activities B.1. This expert will be given a period of three months for carrying out its duty.

Tentatively a budget provision has been made for this expert over that period, with trips to Ukraine.

OUTPUTS

Report, approved by the SALR leadership and distributed to SALR regional offices, focusing on the practical ways and means on how to conduct public hearings, taking into account the draft general land administration law.

DEADLINE for achievement of Activity B.5: eight months after the kick-off conference

Activity B.6: Supporting Ukraine in the field of Land Information Systems

BRIEF DESCRIPTION OF THE ACTIVITY

Thanks to the ongoing World Bank funded project on rural land titling, Ukraine is about to rely in a near future of a computerized Land Information Systems (LIS), having the role of a multipurpose cadastre including the function of a land data base. The use and the economic management of the cadastral data produces by this information system are now subject to the recently promulgated law *On State Cadastre,* 7 July 2011. This Law enters into force on January 1, 2013; recently Cabinet of Ministers of Ukraine released Regulation on running state land cadastre (Resolution # 1051 of November 17, 2012) describing in details cadastral procedures

It is therefore likely or at least recommended that Ukraine grants binding value to the state cadastre, instead of making it an instrument for setting out binding land use, within a given human settlement. and followed best European examples

The essence of this activity is for the Twinning Project to define the characteristics of the future LIS to be developed in Ukraine, based on the State Cadastre, to develop and test a pilot LIS in two regions of Ukraine, and to make proposals for amending the Law on State Cadastre in order to ensure the full compatibility of the LIS with the law.

A pilot local unit of computerized cadastral system has already been tested in Ukraine (in Gaysyn of Vinnitsya Oblast in 2011). That pilot unit proved to be operational and compatible with the national system operated in Kyiv. Thus the Twinning experts shall have access to information on technical parameters of tested units and its capacity in order to be able to suggest a vision of LIS building upon results already achieved in this area.

It is also of relevance to remember that state land cadastre in Ukraine shall be interactive with cadastres of other natural resources as well as with town-planning cadastre. The Twinning experts shall investigate the feasibility and functions of future LIS in view of this fact.

It is also a fact that some settlements in Ukraine developed their own LIS over the last 20 years. These LIS may be a valuable source of information for LIS to be developed within this Project. At the same time it is unclear what legal status those LIS and information therein have and what are the options for drawing information from them for the purposes of running cadastre and/ or LIS and *vice versa*.

INPUTS

Twinning experts shall be requested to complete a report about the feasibility of a sustainable LIS applicable within the rural areas of the country. The secondary legislation draft regulation on LIS will be prepared with assistance of the Twinning experts to help with introduction of land cadastre and development of LIS in the pilot regions. s. Tentatively a budget provision has been made for thee recruitment of short-term experts, with trips to Ukraine for each of them.

Based on this assessment, the Twinning project will prepare a report on appropriateness and expediency of creation of the said LIS in view of all factors listed above and factors discovered in the process. If there are strong evidence in favour of the said, report shall demonstrate the usefulness of the LIS, its compatibility and complementarity with the cadastre, other LIS developed in Ukraine, and its administrative and financial sustainability. Then a road map shall be elaborated by SALR with the support of the Twinning programme to extend the LIS to the whole rural territory of Ukraine, and approved on the governmental level. Expert shall pay special attention to the issue of LIS in settlements, namely its legal status and interaction with land cadastre and/or national LIS.

OUTPUTS

- If prove feasible, appropriate and expedient a pilot Land Information System has been designed and experimented in two pilot oblasts: one in Lvyv Oblast, one in Donetsk Oblast,
- The LIS is fully operational.
- Road map to replicate LIS in other regions

DEADLINE for achievement of Activity B.6: twelve months after the kick-off conference

Activity B.7: Organisation of a study visit to the EU Member State

BRIEF DESCRIPTION OF THE ACTIVITY

The core objective of the study visit will be to inform the participants about the conditions through which the visited EU country is addressing the following components of its agrarian land policy: management of state-owned land, land market regulations including tools for fighting corruption, and real estate purchase, access to administrative documents connected to land policy in general, land information system in rural areas. Selected staff of SALR and other stakeholders (if needed) will gain first-hand experience on best practices regarding the conditions through which the EU country is addressing the following issues:

- Management and use of land information system: it is important for SALR staff to be familiar with the methods that are used in the selected EU country for solving certain problems of land management in rural areas on the basis of the existing land information system.
- Likewise, land use planning methods in rural areas will be also useful to be presented to SALR staff on the occasion of the study visit.

- A third and important output of the study visit will be to explain to the SALR visitors how local public authorities in the visited rural local government may have influence on the land use policy with a view to strengthen the sustainable rural development of the visited local governments

INPUTS

Up to 10 staff of SALR and other stakeholders will participate in the study visit with maximum duration of 5 working days. Interpretor will accompany study tour participants..

OUTPUTS

The participants in the study visit have written a report about regulatory practices in the visited EU country in the six priority sectors.

DEADLINE for achievement of Activity B.7: ten months after the kick-off conference

Activity B.8: Preparing secondary legislation in the six priority sectors of land policy

BRIEF DESCRIPTION OF THE ACTIVITY

This important activity will consist in preparing secondary legislation in the six priority sectors of land policy (land market, land monitoring, land evaluation, state-owned land management, and land information system and land cadastre). Cumulated experience gained from the preparation of the hand out manual and from the previous study tour and internship will be useful when preparing those documents.

INPUTS

Tentatively a budget provision has been made for the recruitment of MS experts. Number of experts, working days and missions will have to be determined later on. It is likely that those experts will be the same as those involved in A.3 and A.4.

OUTPUTS

Outputs will consist in drafts of by-laws in the six priority sectors of land policy. It is expected that at least one such document will be prepared for each of the priority sectors.

Number of by-laws taking into consideration new regulatory practices, in the six priority sectors (minimum six documents).

DEADLINE for achievement of Activity B.8: twelve months after the kick-off conference

3.4.4 Activities in Result 3: Increased professional skills of staff involved in the six priority sectors of land administration

The main characteristic of this group of activities is that it shall require important efforts for disseminating unified methods applicable nationwide to the entire territory of Ukraine through a comprehensive training programme. This explains, and justifies, the use of distance learning schemes, as well as the taking place of a study visit for a group of SALR employees. This group of activities will, i.a., ensure openness and transparency in land management and land administration through SALR Central- and Distance Training of SALR regional office staff.

The purpose of this group of activities is to develop the ground for sustainable and systematic training of the largest possible number of staff of the SALR in six priorities sectors: land market, land monitoring, land evaluation, state-owned land administration, land information system and land cadastre.

This will be achieved on the one side through the implementation of a number of training sessions and on the other side through support the SALR in its efforts to create a stock of training materials.

One of the training will be concentrated on land monetary evaluation methods - a clearly expressed request from the SALR - as well as other land market related topics that will have been found relevant.

Activity C.1: Training needs assessment

BRIEF DESCRIPTION OF THE ACTIVITY

A detailed analysis of the current situation with regard to training needs within the SALR must be the starting point. This analysis will aim at clarifying the degree of professional expertise of the SALR staff when evaluating lands. In order to assess the training needs properly and also taking into account previous training initiatives of donors, a thorough TNA will be conducted. Based on questionnaires and structured interviews, the TNA will assess separately the needs of the staff of SALR at central level and in all regional offices, the needs of the management staff within the SALR and also in its regional offices. The TNA will analyse the training needs in all aspects like gaps related to the knowledge regarding land evaluation, working methods and also the so-called soft skills, like communication, conflict management etc.

Based on the TNA, a small group of short term Twinning experts, nominated by the Resident Twinning Adviser, will elaborate a detailed training plan for the different categories of target groups of SALR staff at central and regional level.

A detailed database containing the information as to which training was provided in the past to which person will be set up by the SALR with support of the Twinning project and maintained by SALR to allow for monitoring of the investment in future and ensure that those having been trained have not been transferred.

The TNA will assess through questionnaires and structured interviews the training needs of the managerial staff on the central as well as regional level. Based on the outcome of the TNA, the training curricula and the training materials and modules will be designed and drafted. Specific attention will be drawn to the sustainability of training actions due to the high turnover of staff within the SALR. The TNA might propose safeguarding measures in this respect, like criteria for the selection of the participants. Within this activist, it is envisaged that at least ten training sessions will be implemented – see Activity C.2 below.

The Resident Twinning Adviser shall appoint, within his / her team a Sub-team leader expert in charge of each below-mentioned type of activity (from activity C.2 to C.5). Under the Sub-team leader expert responsibility, a detailed training plan for the different categories of target groups of SALR staff at central and regional level will be made available.

INPUTS

A budget provision has been made for the recruitment of experts. Number of working days and missions will have to be determined later on. However, it could be as follow: 1st visit – elaboration of questionnaire; 2nd visit – inquiry; 3rd visit – presentation of results.

OUTPUTS

- A Training Need Assessment report
- A detailed training plan
- A Training Data Base

DEADLINE for achievement of Activity C.1: two months after the kick-off conference

Activity C.2: Designing and implementing a training programme for SALR

BRIEF DESCRIPTION OF THE ACTIVITY

The activity consists in designing and implementing a training programme for SAR staff which will allow SALR staff to increase its competencies and professional standards with regard to the components 1 and 2 and other priorities for training as identified in activity C.1.In line with identified needs and to support the implementation of the components 1 and 2, the training programme will be implemented. Short term expert's missions will be organised for this purpose. The experts will conduct on the job training, roundtable discussions, develop on-line course when necessary and will work in coordination with the National Agency for Civil Service (a responsible body for in-service training of the public servants)

INPUTS

A budget provision has been made for the recruitment of experts. Number of experts, working days and missions will have to be determined by the Twinning team after analysing of TNA.

OUTPUTS

Developed and delivered training courses in line with TNA. At least 10 training sessions have been implemented.

Developed hands-out materials available on-line in Ukrainian

Distance-learning modules developed in all 24 Oblasts of Ukraine, in Autonomous Republic of Crimea, cities of Kyiv and Sevastopol;

Monetary land evaluation manual drafted, discussed and agreed with SALR, introducing European valuation standards in Ukraine (in English)[18] and translation of the manual to Ukrainian.

DEADLINE for achievement of Activity C.2: seventeen months after the kick-off conference

Activity C.3: Internship in the selected EU Member State

BRIEF DESCRIPTION OF THE ACTIVITY

Selected staff of SALR will gain first-hand experience on best practices regarding the conditions through which the EU member states are addressing the specific issue of monetary valuation of land for tax purposes in rural areas, and conditions of land market. This specific task shall be carried out with a view to giving coverage to Result 3, as commented before in section 3.3.3 of the present Twinning Fiche. Shortly after the study visit, the participants are therefore expected to produce such a report in order to

influence the decision-makers in their respective fields of investigation. This Report is subject to publication at SALR web-site and web-site of all interested stakeholders and NGOs.

INPUTS

Up to 8 English –speaking SALR specialists on land evaluation will participate in the internship with duration of 10 days maximum.

OUTPUTS

A report, completed by the participants in the internship, in which they discuss ways and means utilized by the visited EU partner country to run land valuation related issues in rural areas.

DEADLINE for achievement of Activity C.3: eighteen months after the kick-off conference

Activity C.4: Elaboration of training materials in the specific field of land valuation to SALR trainees, based on a Distance Learning Scheme (also including training of staff at the SALR Headquarters)

BRIEF DESCRIPTION OF THE ACTIVITY

The SALR needs to gain a strong experience in the strategy of distance training / distance learning schemes. Therefore, a number of initiatives are required with a view to elaborating training methods in key issues relating to land valuation. The BC could disseminate them independently. With the assistance of the afore mentioned Twinning sub-team leader responsible for the training module, a series of distance training manuals will be written for all regional SALR offices on the basis of 20 training manuals for each SALR regional office.

Detailed training materials including relevant information for trainers and distance learning will then be prepared for each training subject. The training material should contain, general information about the subject, case studies, as well as additional information for trainers, how to train best in the different topics. The training material should be designed in such a way, that it can also be used for future training activities after the end of the project.

INPUTS

A budget provision has been made for the recruitment of short-term experts. Number of experts, working days and missions will have to be determined later on. The experts will elaborate training materials in the field of land valuation specifically adapted to distance learning.

The Secretariat of the Resident Twinning Adviser should be in a position to manage the dissemination of all training materials with the assistance of the SALR.

OUTPUTS

This training material shall be made available to all interested parties via internet, free of charge.

Specific training manual produced and disseminated.

DEADLINE for achievement of Activity C.4: eighteen months after the kick-off conference.

Activity C.5: Use of the hand out manual as a basic training tool in the six priority sectors of land management and land administration

BRIEF DESCRIPTION OF THE ACTIVITY

This specific activity was previously described as part of the mandatory Result 2. But the hand out manual shall also be used for implementing the overall training programme of SALR. Thus it will also be utilised for training the SALR staff of the central and regional or Oblast offices. In order to avoid any duplication of use of resources, C.5 only covers the group of activities of the Twinning project consisting, starting from the hand out manual already developed under activity B.1 to **develop and implement training activities** for SALR staff and other stakeholders, based on the content of the hand out manual.

INPUTS

A budget provision has been made for the recruitment of short-term experts. Number of experts, working days and mission will have to be determined later on.

OUTPUTS

Training modules developed

Training sessions carried out

SALR staff trained.

DEADLINE for achievement of Activity C.5: eighteen months after the kick-off conference

3.5 Means / Inputs from EU Member State Partner Administration

3.5.1 Profile and Tasks of the Member State Project Leader

Qualification and skills

- University level education in public administration or in the field of agriculture and rural development
- Excellent English language skills, both spoken and written.
- Command of Ukrainian (and/or Russian) language would be a strong asset;
- Good inter-personal skills;
- Excellent team-working skills.

General professional experience

- Extensive work experience in the EU MS administration;
- Minimum ten years of professional experience;
- Experienced project manager, demonstrating good record in organisational leadership, staff motivation and communication.

Specific professional experience

- Be a senior staff member from a MS institution in charge of land management or land surveys or land evaluation within a cadastral office;
- Be familiar with public administration reform applied to land management, land resources and land evaluation that possibly took place in EU MS;

- Experience in management of Twinning projects will be an asset;
- Sound knowledge of best practices regarding land policy reforms and institutional development of corresponding managerial structures in the rural and agricultural sector.

Expected Inputs

The Member State Project Leader (MSPL) will be expected to devote a few days per month to the project in his home country (exact number of working days to be determined later on, according to SALR's needs and in line with the Twinning Manual orientations- 4.5.1). He / she will participate as representative of the MS partner in the quarterly Steering Committee meetings and bear - together with the Beneficiary Country Project Leader - the final responsibility for an efficient and effective implementation of the Twinning project.

The main responsibilities of the MSPL are to ensure:

- The overall coordination of the project.
- The timely achievement of project results.
- The timely input of resources on the MS side.

3.5.2 Profile and Tasks of the Resident Twinning Advisor (RTA) and of his/her Assistants

Qualification and skills

- University level education or professional qualification in land management in general. or professional qualification in land management, land use planning, land monitoring, land relations, land survey and land information system in both rural and urban areas;
- Have an excellent command of written and spoken English;
- Command of Ukrainian and / or Russian would be an asset.
- Have good inter-personal skills.
- PC Computer literacy.

General professional experience

- Extensive work experience in the EU or MS administration;
- Minimum ten years of professional experience;
- Experienced project manager, demonstrating good record in organizational leadership, staff motivation and communication.

Specific professional experience

- At least five years of experience in the field of land policy applied to rural territories in the EU or MS administration;
- Sound knowledge of one of the following issues related to rural areas : land monitoring, land management, land market, land cadastre, land appraisal, state-land management, LIS;
- Experience in ex-TACIS countries with similar projects would be an advantage;

- Experience in implementing co-operation projects will be an advantage;
- Experience with law-drafting process will be an advantage.

Expected Inputs

Pursuant to the EC Twinning Manual 2012, the RTA will be a civil servant or equivalent staff seconded to work and to be based in Ukraine. The RTA will be made available to SALR by the Member State's administration or mandated bodies to counterparts in Ukraine through EU funding. He / she will be based in Ukraine to provide full-time input to the project for the entire 21 months duration of the project. His/her main tasks are:

- To manage the day-to-day coordination and progress of activities of the project in Ukraine;
- To liaise with the Ukrainian Project Leader and RTA counterpart;
- To report to the MS Project Leader.

In his daily work in Ukraine, the RTA will be supported by an assistant, to be recruited and funded by the project. The RTA assistant will be responsible for providing logistical/administrative support, technical translation and interpretation services to the RTA to facilitate the implementation of the activities of the work plan. She/he will in particular assist in the preparation of working documents, organise and participate in work sessions held with the staff of the SALR, participate in field visits, prepare and assist in the conduct/reporting on PSC meetings and handle all logistic arrangements for seminars and training activities in consultation with RTA counterpart. The administrative Assistant to the RTA will work full time, for the duration of the project in Ukraine and will be based at the SALR office in Kyiv. The Assistant to the RTA will be remunerated through the Twinning budget. In addition to prior work experience as project coordinator or as project assistant is required, the qualification and skills of the RTA administrative assistant will be as follows:

- University level education
- Fluency in Ukrainian
- Excellent knowledge of English
- PC computer literacy with significant knowledge of common software applications such as MS word, excel and power-point
- Good inter-personal skills
- At least 3 years of professional experience
- Experience in the functioning of international cooperation project.
- Experience in Twinning projects will be an asset.
- Prior experience/background in projects related to land management would be an asset

The Assistant to the RTA in linguistic and communication will be responsible for all translation and interpretation work for English, Ukrainian and Russian. Therefore, he / she will have to be fluent in these three languages. In addition, he / she must demonstrate good communication skills for the organisation of possible official encounters or meetings.

3.5.3 Profile and Tasks of Short - Term Experts (STE)

The successful implementation of the Twinning project activities will to a larger extent depend on the input from STE. Therefore, the STEs shall have:

- A university background in the field of land management or land administration and miscellaneous areas of land relations and land information systems, provided by an academic institution with specific focus on sociological, or economical, or engineering, or legal expertise.
- A minimum of three years experience in their respective field;
- An excellent command of written and spoken English.
- An active and passive command of Ukrainian and / or Russian would be an asset.
- Training experience at university or similar level would be an advantage.

To achieve the results and carry out the activities planned, STEs profiles will be needed to cover the following areas, *inter alia*: land management, land survey and cadastral issues; regulatory framework of land management and land resources; legal issues training (vocational training and on-the-job training).

4 Institutional Framework

The beneficiary will be the State Agency of Land Resources of Ukraine (SALR) of the Republic of Ukraine. Its statute was approved by Decree of the President of Ukraine of 8 April 2011 № 445.

The SALR is a central executive authority responsible for land resources administration, whose activity is directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Agrarian Policy and Food of Ukraine. It ensures implementation of the state policy in the field of land relations.

The SALR in line with its mandate:

- Participates in preparation and implementation of activities for development of the land market;
- Ensures scientific-expert, analytical, informational and methodological support and implementation of land management, land evaluation related to land auctions, organization of land auctions and ensures training of licitators;
- Establishes an informational data base on land reform, land administration, land protection and monitoring of lands, maintenance of the state land cadastre, valuation activity and land auctions.

Total number of employees of the land resources bodies equals to 10 306 persons, including 280 on the central level and 10 026 on local level (at oblast, district and city levels).

The structure of the SALR includes 12 departments, 3 independent divisions, and 2 sectors. The tasks related to implementation of the project belong to competence of the Department of Land Market and Lands Valuation, consisting of three divisions:

- Economic regulation of land relations division;
- Land market division;
- Land valuation division.

This structure is in force dated 01.12.2012.

It is expected, that following implementation of the Twinning project, the institutional capacity in land market organization and state lands valuation will be strengthened.

SALR guarantees that appropriate personnel are made available to work with the EU Twinning partner. Counterparts for each activity will be appointed to facilitate implementation. Since one assumption in the Twinning project fiche is the capacity of SALR to disseminate and implement certain concepts without foreign assistance, it is of paramount importance that these persons will be selected thoroughly with required skills to carry on the development efforts.

The Ukrainian Twinning partner is responsible for the selection of participants for the study tours and trainees (in consultation with the EU partner) and will guarantee the staff is made available and released from their duties during their training/study tours. SALR will provide appropriate training facilities properly equipped for all training activities foreseen and implemented in the course of this twinning project.

The Ukrainian Twinning partner will make sure that staff trained under this project are permitted to remain in post and not subject to arbitrary and frequent transfer into posts where their newly acquired skills are of no use or dismissed without due cause/process. To address this, a detailed database of what kind of training was provided to which person should be maintained by the SALR to allow for monitoring of the investment in future to ensure those trained have not been transferred.

The SALR will make available the necessary infra-structure for the MS partner to carry out its tasks. The provision of office space located inside the premises of the SALR in Kyiv at the address 3, Narodnogo Opolchennia St, the provision of equipment, including access to computer, internet, telephone, fax, etc., and the professional use of that equipment should be available to the RTA from day one of her/his arrival.

SALR will have to form a working group for the implementation of the Twinning project for each of the three Mandatory Results, comprising senior staff officials. If there will be a consortium in the Twinning Project, it is suggested that a coordination mechanism should be considered between the partners - lead and junior - in order to make the implementation smoother, to clarify the roles and competencies, and to settle issues of competition or dissenting opinions.

5 Budget

The maximum budget amounts to € 1800 000 EUR.

6 Implementation Arrangements

6.1 Implementing Agency responsible for tendering, contracting and accounting

The Implementing Agency responsible for tendering, contracting and accounting is the Delegation of the European Union to Ukraine.

The person in charge of this project is:

Mrs Natalya Korchakova- Heeb

Sector Manager

Economic, Trade and Territorial Development

Delegation of the European Union to Ukraine

101 Volodymyrska

Kyiv, Ukraine 01033

Tel. + 380 44 390 80 10

Fax + 380 44 390 80 15

E-mail: natalya.korchakova@eeas .europa.eu

6.2 Main counterparts in Ukraine

6.2.1 Main Twinning Beneficiary:

The State Agency of Land Resources of Ukraine (SALR)

3 Narodnogo Opolcheniya

Kyiv, Ukraine

Tel.:+380 44 249 96 95 (Department of communications and international relations)

http:// www.dazru.gov.ua

6.2.2 Programme Administration Office (PAO), and its Role

The PAO under the National Agency of Ukraine on Civil Service is a unit responsible for coordination of the preparation of Twinning projects and support for their implementation, provision of advisory and methodological support to public authorities in preparation and implementation of twinning projects.

Twinning Programme Administrative Office (PAO) of the National Agency of Ukraine on Civil Service is an important counterpart in the Beneficiary country.

The PAO has an essential role in the whole twinning cycle of the project: for instance, quality control of Twinning Fiches and contracts.

The PAO is the central point of communication between the European Commission and the Beneficiary Administrations (i.e. the SALR in the present case), and between the EU Member State and the Beneficiary Administrations.

The PAO drafts a reference programming document for the Twinning project in Ukraine. It assists the EU Delegation to check that the detailed proposals meet the required standards. It also checks that the good management of the Twinning project is in compliance with EC rules. Finally, it receives and examines all Twinning project reports.

Twinning Program Administration Office in Ukraine

15, Prorizna Street,

Kyiv 01601, Ukraine

Tel.: +380 44 279-29-26

Fax: +380 44 278-36-44

PAO director: Mr Viacheslav Tolkovanov, Head of the National Agency of Ukraine on Civil Service.

E-mail: Vvacheslav.Tolkovanov@nads.gov.ua

http://www.twinning.com.ua

Contact person: Mr Serhii Kopan serhiy.kopan@center.gov.ua

6.2.3 Project Leader - Ukraine:

Name: Mr Ievgen Berdnikov

Deputy Chairman

Address: 3, Narodnogo Opolchennia

Tel: + 380 44 249 96 77

Fax: 380 44 249 96 88

Email: zam@dazru.gov.ua

6.2.4 RTA - Counterpart

Name: Mrs Tetiana Simchyshyna

Chief of Division of the Department of Land Market and Lands Valuation[19]

Address: 3, Narodnogo Opolchennia St

Tel: + 380 44 249 96 84

Fax: +380 44 249 96 84

Email: r309@ukr.net

To monitor the project, a steering committee should be established, which verifies the achievement of outputs and mandatory results and discusses actions to be undertaken. The steering committee meets regularly once every 3 months.

The steering committee should be chaired by the Project Leader from the Ukrainian side

Further members of the steering committee will be:

- MS project leader and RTA,
- BC project leader and RTA-counterpart,
- A representative of the PAO;
- A representative of the EU Delegation to Ukraine.

The exact composition of the steering committee will be determined in the Twinning contract.

Whenever necessary, representatives of institutions, other donors or key experts should be invited to join the steering committee meetings. The working language of the project implementation will be English. Translation and interpretation will be provided by the Twinning Project.

6.3 Contracts

[19] No director at the moment.

Only one Twinning contract is foreseen for this project.

7 Implementation Schedule (indicative)

7.1 Launching of the call for proposals

January 2013

7.2 Indicative start of project activities:

2d quarter 2013

7.3 Work Plan Duration:

Work plan duration is 21 months.

Total legal duration of the Twinning Contract will be 24 months (i. e. period for the implementation of the work plan + 3 months for the starting up and closure of the project).

8 Sustainability

As training and mentoring project, the Twinning should help equip the SALR to undertake its tasks for the foreseeable future.

In the longer-term, the Twinning project is likely to have positive impacts, including:

- Establishment of a firmer legal basis for the management of state-owned lands;
- Improved land evaluation owing to trainings (on the job and distance training schemes);
- Increased ability of land registration and evaluation as well as planning agencies to cooperate among themselves and with relevant institutions in EU countries for best evaluating urban and rural land;
- Managerial and analytical skills are developed and retained at the SALR.

The training materials produced within the project might also be used for the training of futures staff of SALR after the end of the project.

9 Crosscutting Issues

- Equal opportunity principles and practices in ensuring equitable gender participation in the project will be guaranteed.
- Environmental aspects are key aspects for the project.
- Whenever applicable, besides the above-mentioned the following issues should be mainstreamed into the project activities: management issues; human rights and fundamental freedoms; quality performance from a citizen's perspective, including anti-corruption measures.

- To protect the environment and save natural resources this Twinning project should in principle be based on a paperless work environment. This means, in particular, minimising paper use during project implementation: use of e-mails, project web-site, electronic project data base for the cooperation between partners.

10 Conditionality and Sequencing

The Twinning project fiche has been drafted in cooperation with the SALR, which by endorsing the Twinning Fiche, commits itself. The Beneficiary institution will allocate the sufficient and experienced staff and material resources for twinning project implementation.

10.1 Staff Inputs

Significant staff time shall be made available for the various components of the project:

- At the broadest and most senior level, there must be political commitment and support within the Ukrainian administration for the Twinning project as a whole.
- The current Twinning project has got a nominated Ukrainian Project Leader with sufficient authority to administer and properly implement the project in practice. This person will also be named in, and sign, the Twinning Work plan and Budget, as the figure ultimately responsible for its implementation.
- Ukrainian staff inputs should be detailed as far as possible within the Twinning work plan to ensure that there is full recognition of both the practical and political commitments required to achieve the desired results.

10.2 Infrastructure Inputs

The SALR will make available the necessary infrastructure for the twinning MS partner(s) to carry out their tasks.

The provision of office space, the provision of equipment (including access to a computer, telephone, fax etc.) and the professional use of that equipment shall be made available as from the RTA's day of arrival.

All infrastructure requirements will be subject to the Twinning Contract, Twinning work plan and budget.

ANNEXES TO TWINNING PROJECT FICHE

Annex 1 - Logical framework Matrix

Annex 2 - Indicative Implementation Chart

Annex 3 –Important definitions and key concepts

Annex 4 - SALR presentation

ANNEX 1: LOGICAL FRAMEWORK MATRIX

LOGFRAME PLANNING MATRIX FOR PROJECT FICHE		**Programme name and number**	
Assistance in development of open and transparent agricultural land market in Ukraine		ENPI Annual Programme 2009	
		Contracting period expires	Disbursement period expires
		Total budget	Budget year
		1, 800 000 EUR	2009
Overall Objective	**Objectively verifiable indicators/ Benchmarks**	**Sources of Verification**	**Assumptions**
The general objective of the Twinning project is to support Ukraine in development of the open and transparent agricultural land market in line with the best EU practices.	The agricultural land market is opened (moratorium lifted) Necessary market institutions are in place (land cadastre, land registry, LIS) Legal framework is sufficiently developed Land value is reflected in financial documents (tax, collateral, statutory funds, etc)	o Strategic Plan of the Ukrainian Government and Parliament o Annual Reports of SALR o ENP Progress Reports o Statistics of the Ministry of Agrarian Policy and Food of Ukraine o Statistic from Tax Service of Ukraine o Law amendments	
Project purpose			
The purpose of the Twinning project is to support State Agency of Ukraine on Land Resources (SALR) in development of an open and transparent agricultural land market in line with the best practices within the EU Member States through improvement of agricultural land market management and public land administration frameworks.	o Number of reviews of relevant laws completed and modifications recommended in the light of best practices in selected EU Member States o Increased inter institutional cooperation o The basic legislation on land market is drafted and approximated to EU requirements. o Improved institutional capacity of the SALR o Increase role of SALR as regulator o Improved transparency of the agricultural markets- access to information	o Annual report of the SALR ▪ Transmission of the draft umbrella law to the Minister of Agrarian Policy and Food of Ukraine. o Methodology for land evaluation o Annual report of the Government of Ukraine o Interim and progress reports prepared during the course of the Twinning project with the list of delivered outputs o Evaluation of the training carried out o Approximated legislation o Reports of external monitoring	o Ongoing political and financial support to the SALR o Ongoing reform efforts for the land market and privatization o The Government of Ukraine sticks to its current priorities regarding land market creation as a precondition to the EU integration. o Effective liaison with the land market component in other projects ensured

	o o The professional capacity of staff involved in land evaluation techniques has increased. o Results of independent analyses performed to verify transparency and fairness of agricultural land transactions in Ukraine.	and inspection o UEPLAC final assessment of the level of approximation in the sectors subject to the Twinning and further steps to complete this alignment	
Results	**Objectively verifiable indicators/Benchmarks**	**Sources of Verification**	**Assumptions**
Result 1: Improvement of the existing land management and land administration legal frameworks	o Organizational and functional analysis of the SALR has been carried out and some recommendations have been prepared. o Stakeholders are were well prepared to conduct change in legislation, through sensitisation seminars, study visits and internships o The existing legislative framework concerning the introduction and operation of a land market has been reviewed. Recommendations on bringing it into compliance with the best EU practices, covering the following topics: i) land market ; ii) land monitoring; iii) land evaluation; iv) state-owned land management; v) land information system; vi) land cadastre have been prepared. o A draft umbrella law on land administration has been prepared	o Progress and final reports of the project. o Proof is given that the draft umbrella legislation is handed to the Minister of Agrarian Policy and Food of Ukraine. o Twinning experts reports o Monitoring reports o Report of land market inspections in Ukraine.	o Minister of Agrarian Policy and Food of Ukraine and *Verkhovna Rada* to allow SALR embarking upon the preparation of so-called umbrella draft law making process o Awareness about quality improvements o Full participation of the senior management
Activities	**Means**		**Assumptions**
Activities in Result 1 A.1: Organizational and functional analysis of the SALR and preparation of recommendations A.2: Conduct of sensitisation seminars involving SALR staff and stakeholders Activity A.3: Comparative/ gap analysis with a view to achieving a	To implement activity A.1: o Expert fees o Twinning Management Costs o Per diem o Air tickets o Interpretation		o All relevant documents are available (translated into designated language) for review.

gap analysis on how land market is functioning in the EU country and more generally within the European Union, covering the following six topics: land market, land monitoring, land evaluation, state-owned land management, land information system and land cadastre A.4: Support to the preparation of a draft general land policy law, focusing on land administration and based on the umbrella law making technique A.5: Study visits and internship	o Translation To implement activity A.2: o Expert fees o Twinning Management Costs o Per diem o Air tickets o Interpretation o Translation To implement activity A.3: o Expert fees o Twinning Management Costs o Per diem o Air tickets o Interpretation o Translation To implement activity A.4: o Expert fees o 'Twinning Management Costs' o Per diem o Air tickets o Interpretation o Translation To implement activity A.5: o Per diem for participants o Incidental expenditures o Per diem for interpreter (study tour only) o International Travels for participants o International Travels for interpreter (study tour only) o Translation NB: It is assumed that the project will benefit from a pool of MS senior ST experts able to deal with all issues covered by ST expertise (this to avoid dispersion and ensure the coherence and complementarity of all ST interventions). One single MS expert is likely to intervene in different activities during one or several stays in Ukraine. The number of days spend by one expert during one stay will be distributed between the activities he will contribute to, in such a way that globally the distribution of days spent per activity will be compatible with the budget per activity.		
Results	**Objectively verifiable**	**Sources of Verification**	**Assumptions**

	indicators/Benchmarks		
Result 2: Improvement of secondary legislation on the basis of best practices	o Practical recommendations about the introduction of best regulatory practices and procedures of land market operation and the management of state-owned lands have been prepared. Relevant guidelines and manuals have been developed. o SALR is playing the role of a de facto Land Market Regulator o Stakeholders awareness about LMR has been raised o Measures have been proposed to decrease corruption in the agricultural land market o Measures have been proposed to increase market transparency in the agricultural land market o Regulatory practices covering the six priority sectors of land policy have effectively been taken into consideration in a number of secondary legal instructions and ministerial instructions	o Progress and final reports of the project. o Twinning experts reports o Final project evaluation report o Monitoring reports o Legal publications, ministerial instructions o Proposed amendments o Study visit's reports o Changes in the mandate of the SALR	o Key decision makers within the Ministry of Agrarian Policy and Food agree that secondary land legislation be drafted based on **draft** umbrella law submitted by SALR without waiting for approval of draft umbrella law o Key decision makers within the Ministry of Agrarian Policy and Food accept that SALR may provide expertise as a de facto Land Market Regulator o All relevant documents are available (translated into designated language) for review.
Activities	**Means**		**Assumptions**
Activities in Result 2: B.1: Completion of a hand out manual explaining the key issues at stake in the six priority sectors of rural land policy B.2: Getting the SALR to also provide service as a *de facto* Land Market Regulator B.3: Raising awareness of stakeholders as regards the new concept of Land Market Regulator B.4: Narrowing the corruption niches B.5: Definition of rules on how to improve public hearings as an instrument to increase land market transparency B.6: Supporting Ukraine in the field of Land Information Systems B.7: Organisation of a study visit to theTtwinning EU Member	To implement activity B.1: o Expert fees o Twinning Management Costs o Per diem o Air tickets o Interpretation o Translation To implement activity B.2: o Expert fees o Twinning Management Costs o Per diem o Air tickets		o All relevant documents are available (translated into designated language) for review.

State	o Interpretation o Translation To implement activity B.3: o Expert fee o Twinning Management Costs o Per diem o Air tickets o Interpretation o Translation To implement activity B.4: o Expert fees o 'Twinning Management Costs' o Per diem o Air tickets o Interpretation o Translation o Editing and printing training materials To implement activity B.5: o Expert fees o Twinning Management Costs o Per diem o Air tickets o Interpretation o Translation To implement activity B.6: o Expert fees o Twinning Management Costs o Per diem o 4 Air tickets o Interpretation o Translation To implement activity B.7: o Study visit to MS country o Per diem for participants o Incidental expenditures o Per diem for interpreter o International Travels for participants o International Travels for interpreter o Translation o Interpretation	

	To implement activity B.8: o Expert fees o Twinning Management Costs o Per diem o Air tickets o Translation NB: It is assumed that the project will benefit from a pool of senior ST experts able to deal with all issues covered by ST expertise (this to avoid dispersion and ensure the coherence and complementarity of all ST interventions). One single MS expert is likely to intervene in different activities during one or several stays in Ukraine. The number of days spend by one expert during one stay will be distributed between the activities he will contribute to, in such a way that globally the distribution of days spent per activity will be compatible with the budget per activity.		
Results	**Objectively verifiable indicators/Benchmarks**	**Sources of Verification**	**Assumptions**
Result 3: Increased professional skills of staff involved in the six priority sectors of land management and administration	o Training Need Analysis (TNA) including Training plan drafted by the end of month 6 o Training material for distance learning prepared by the end of month 8 o Staff of SALR trained; distance learning material applied in practice by the end of month 17 o State of dissemination of EC Reference paper dated Nov. 2008 entitled "Analysing and Addressing Governance in Sector Operations -November 2008 in, Reference Document No 4, ISBN 978-92-79-11378-9	▪ Number of distance training manuals or hand books available and names of staff having received the manuals or hand books. o Number of training sessions organized in SALR regional offices, on the occasion of which manuals on land management, land evaluation, land information system, state land administration have been disseminated with the list of participants. o Final project evaluation report o Twinning experts reports o Monitoring reports o Training reports.	Enough funds available for disseminating the distance training hand books or manuals to the SALR regional offices.
Activities	**Means**		**Assumptions**
Activities in Result 3: C.1: Training needs assessment C.2: Designing and implementing a training programme for SALR on European Valuation Standards	To implement activity C.1 o Expert fees o Twinning Management Costs o Per diem		

C.3: Internship in the selected EU Member State C.4: Elaboration of training materials in the specific field of land valuation to SALR trainees, based on a Distance Learning Scheme (also including training of staff working at the SALR Headquarters) C.5 Use of the hand out manual as a basic training tool in the six priority sectors of land management and administration	o Air tickets o Interpretation Translation o Editing and printing materials To implement activity C.2 o Expert fees o Twinning Management Costs' o Per diem o Air tickets o Interpretation o Translation o Editing and printing materials To implement activity C.3 o Internship in MS country o Per diem for participants o Incidental expenditures o International Travels for participants o Translation To implement activity C.4 o Expert fees o 'Twinning Management Costs' o Per diem o Interpretation o Translation o Editing and printing materials To implement activity C.5 o Expert fees o Twinning Management Costs' o Per diem o Air tickets o Interpretation o Translation o Editing and printing materials NB: It is assumed that the project will benefit from a pool of senior ST experts able to deal with all issues covered by ST expertise (this to avoid dispersion and ensure the coherence and complementarity of all ST interventions). One single MS expert is likely to intervene in different activities during one or several stays in Ukraine. The number of days spend by one expert during one stay will be distributed between the activities he will contribute to, in such a way that globally the distribution of days spent per activity will be compatible with the budget per	

	activity.	
	Preconditions:	
	From BC side: o Co-financing assured. Enough amount of funds available from the beginning of the project to the end. o Office premises for RTA, assistant and MS experts properly equipped, connected to Internet and available from the beginning of the project. o SALR Oblast subdivisions ready to implement training for local agricultural land management specialists (equipment, premises).	

Annex 2: Indicative Implementation Chart

Activities																					
Months	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**
0 General activities																					
Quarterly Steering Committees			**X**			**X**			**X**			**X**			**X**			**X**			
Quarterly reports			**X**			**X**			**X**			**X**			**X**			**X**			
Final report																		**X**			
Audit certificate / verification of expenditure report																			**X**	**X**	
Closure of the Twinning contract and final disbursement by the DEL																				**X**	
Kick off meeting	**X**																				
Final meeting																		**X**			
Result 1: Improvement of the existing land management and land administration legal framework while having recourse to the umbrella legislation law making technique																					
Months	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**
A.1: Organizational and functional analysis of the land market and preparation of recommendations		X	X	X																	
A.2: Conduct of sensitisation seminars involving SALR staff and stakeholders		X	X	X																	
A.3: Comparative/ gap analysis with a view to achieving a gap analysis report on how land market is functioning in the MS and more generally within the European Union, covering the six sectors of land management: land market, land monitoring, land evaluation, state-owned land administration , land information system and land cadastre		X	X	X																	
A.4: Support to the preparation of a draft general land umbrella law		X	X	X	X																
A.5 Study visit and internship for best preparing the expected draft umbrella land policy legislation	X	X	X	X	X																
Result 2: Improvement of secondary land-related legislation on the basis of best regulatory practices																					
Months	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**
B.1 Completion of a hand out manual explaining the key issues at stake in the six priority sectors of rural land policy		X	X	X	X	X	X	X	X												

B.2 Definition of rules on how to improve public hearings as an instrument to increase land market transparency					X	X	X	X	X												
B.3 Supporting Ukraine in the field of Land Information Systems							X	X	X	X	X	X	X								
B.4: Narrowing the corruption niches							x		x		x		x								
B.5: Definition of rules on how to improve public hearings as an instrument to increase land market transparency							X		x												
B.6: Supporting Ukraine in the field of land information systems								x	x			x	x								
B.7: Organisation of a study visit to the Twinning EU Member State											x										
B.8: Preparing secondary (to the general law) legal instructions and ministerial decisions in the six priority sectors of land policy					X	X	X	X	X	X	X	X	X								
Result 3: Increased professional skills of staff involved the six sectors of land management																					
Months	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**
C.1: Training needs assessment		X	X																		
C.2: Designing and implementing a training programme				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			
C.3: Internship in the selected EU Member State												X									
C.4: Elaboration of training materials to SALR trainees, based on a Distance Learning Scheme (also including training of staff working at the SALR Headquarters)											X	X	X	X	X	X	X	X	X		
C.5 Use of the hand out manual as a basic training tool in the six priority sectors of land management											X	X	X	X	X	X	X	X	X		

Annex 3: Important definitions and key concepts

Priorities

1. **Land market.** It provides a market place for buyers and sellers of development land.
2. **Land monitoring.** It involves both mapping and inventory of land resources. To put the revised draft *umbrella law* more in line with best practices within the European Union Member States, the revised draft makes a clear distinction between two major concepts of State interventions in land monitoring, namely mapping and land use planning. As regards the technical contents of the draft umbrella law, the main ways for its improvement are those already pointed out by a number of analysts.[20]
3. **Land evaluation.** Land evaluations are needed when it comes to a number of land-related activities, such as: land taxation based on its value, compensation for compulsory purchases by the government, calculation of development taxes, calculation of equities in kind when establishing a commercial company, analysis of land performance in rural areas etc.
4. **State-owned land administration .** Its aim is to allow government to ensure the activities on public law are sustainable. A synonym also used in certain EU Member States for referring to the concept of State land administration is called public domain. It should be noted that all lands in the public domain are *owned* by the State.
5. **Land information system.** It is a substantial environmental information system, usually computerized, designed to contain a series of data for each parcel within a delimitated territory. The data can be much diversified (land use, ownership rights, land use regulation, tax base, building permits, etc.). The mechanism makes it possible to obtain savings in terms of land management.
6. **Land Cadastre.** The Ukrainian Land Cadastre Law is a very ambitious piece of legislation, which regulates the main principles of forming and maintaining the land cadastre (the unified land register of all landholders in Ukraine). A major portion of this law will come into force on January 1, 2013

Other concepts

- **Forms of ownership in rural areas**. The topic at stake is the concept of real rights. This includes all rights set out by law, which can be exercised with respect to third parties *erga omnes,*[21] so that the holder's relationship to the object in question is not disrupted or prejudiced by any third party. There are six groups of real rights: ownership (owners have the right to use and dispose of their possessions exclusively and in full, provided that they comply with the restrictions and obligations set out in the legal provisions), usufruct, leasehold, building rights, easements and mortgages.

[21] In legal terminology, erga omnes rights or obligations are owed toward all. For instance a property right is an erga omnes entitlement, and therefore enforceable against anybody infringing that right. An erga omnes right (a statutory right) can here be distinguished from a right based on contract, which is only enforceable against the contracting party.

Annex 4. SALR Presentation

STATUTE of the State Agency of Land Resources of Ukraine22

1. The State Agency of Land Resources of Ukraine (SALR of Ukraine) is a central executive authority on land resources activity of which is directed and coordinated by the Cabinet of Ministers of Ukraine via Minister of Agrarian Policy and Food of Ukraine (the Minister hereafter); it is included in the system of bodies of executive power and ensures implementation of the state policy in the field of land relations.

2. SALR of Ukraine is guided in its activity by the Constitution and laws of Ukraine, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine, orders of the Ministry of Agrarian Policy and Food of Ukraine (MAPF of Ukraine), other legislative acts of Ukraine, errands of the President of Ukraine and the Minister.

3. The main tasks of SALR of Ukraine are:

1) implementation of the state policy in the field of land relations;

2) submitting propositions to the Minister regarding formation of the state policy in the field of land relations.

4. In line with assigned tasks SALR of Ukraine:

1) generalizes practice of application of legislation on matters within the competence of SALR of Ukraine, develops propositions regarding improvement of legislative acts, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine, normative-legal acts of MAPF of Ukraine and according to the set order submits them to the Minister;

2) compiles and submits to the Minister for approval an Action plan for implementation of main directions and strategic objectives of activity of SALR of Ukraine;

3) according to the established procedure submits propositions about administration of lands of the state and communal ownership, establishment of boundaries of regions, districts, wards, villages and towns, land relations

4) participates in development and execution of state, field, regional and local programs on matters of land relations regulation, rational lands use, reproduction and protection of lands, establishment of boundaries of regions, districts, wards, villages and towns, in monitoring of lands, maintenance and administration of the state land cadastre and territorial planning;

5) participates with consent of the Minister in preparation of international treaties, submits propositions concerning their conclusion and denunciation, concludes within its authority such treaties in the field of land relations, use and protection of lands;

6) issues extracts out of technical documentation about normative pecuniary valuation of land parcels and renders other administrative services in compliance with the legislation;

[22] APPROVED Decree of the President of Ukraine of 8 April 2011 № 445.

7) ensures preparation and performance of organizational, economic, ecologic and other measures directed at rational use and protection of lands, their protection from harmful anthropological impact, adherence to regime of use of lands for natural reserve, health-improving, recreational, historic and cultural purpose, other territories and objects of econetwork;

8) performs in the order established by the Minister organization of works related to implementation of the land reform;

9) participates in preparation and carrying out of measures for development of land market;

10) within its authority develops and submits to the Minister propositions about formation of investment policy in the field of use and protection of lands based on priorities of structural reformation of the economy, as well as propositions to drafts of the national program of economic and social development of Ukraine and the State budget of Ukraine, National Program of Informatization and other programs;

11) organizes professional formation of valuators on expert pecuniary valuation of land parcels, keeps the State Register of valuators on expert pecuniary valuation of land plots, who received qualification certificates, develops propositions for improvement of the methodology and procedure of performance of works on pecuniary valuation of lands;

12) performs lands arrangement in line with the Law of Ukraine “On Lands Arrangement”, including ensuring of performing the state inventory of lands;

13) ensures scientific-expert, analytical, informational and methodological performance of land surveying, land valuation works related to land bidding, takes organizational measures for holding land bidding and ensures formation of licitators;

14) performs in compliance with the legislation lands monitoring and lands protection;

15) carries out maintenance and administration of the state land cadastre and receives information about allocation of land parcels;

16) carries out preparation of land-cadastral documentation;

17) performs state registration of land parcels and state registration of the right of ownership, right of use of land parcels (servitude), right of permanent use of land parcels, lease contracts of land parcels, right of use of a land parcel for agricultural needs (emphyteusis), right of construction of a land parcel (superficies);

18) according to the established procedure acts as a customer of scientific-research, project-surveying and construction works performed within measures for lands protection, land relations reformation, lands arrangement, keeping and administering the state land cadastre, lands monitoring;

19) participates in the state regulation of territorial planning and delimitation of lands of the state and communal ownership;

20) establishes an information data base on matters of land relations reformation, lands arrangement, protection and monitoring of lands, keeping the state land cadastre, valuating activity and land bidding;

21) pursuant to the procedure, established by law, carries out state expertise of programs and projects on matters of lands arrangement, keeping and administering the state land cadastre, protection of lands, reformation of land relations, as well as technical-economic substantiation of such programs and projects and with consent of MAPF of Ukraine sends following its performance corresponding conclusions;

22) takes part in giving consent to lands arrangement documentation, organizes and performs pursuant to the procedure, established by law, state expertise of lands arrangement designs, land valuation documentation, as well as materials and documentation of the state land cadastre and with consent of MAPF of Ukraine issues following its performance corresponding conclusions;

23) carries out activities for improvement of the procedure of accounting and preparation of reporting on regulation of land relations, use and protection of lands, forming of econet;

24) organizes, including that with participation of foreign scientific institutions and organizations, scientific research on issues of lands arrangement, keeping and administering of the state land cadastre;

25) carries out according to the procedure, established by the Minister, coordination of activity of lands arrangement subjects;

26) submits to executive authorities and local self-government bodies propositions as for use of funds received as compensation for losses of agricultural and forestry production;

27) carries out in cases, established by law, licensing of some types of economic activity and carries out control over observance of corresponding license conditions by economic agents;

28) with consent of the Minister establishes, liquidates, reorganizes enterprises, institutions and organizations, approves their statutes and amendments into them, within the set order with consent of the Minister appoints and dismisses their managers, forms personnel reserve for positions of managers of enterprises, institutions and organizations, belonging to the sphere of governance of SALR of Ukraine;

29) performs according to the procedure, established by the Minister, management, control over activity of scientific-research, other enterprises, institutions and organizations, belonging to the sphere of its governance;

30) approves according to the procedure, established by the Minister, cost-estimates and financial plans of enterprises, institutions and organizations in the sphere of governance of SALR of Ukraine, ensures financing of territorial bodies of land resources, performs internal control over use of financial and material resources, ensures operation of an accounting system;

31) submits for approval to MAPF of Ukraine within the set order norms of rendering services in the sphere of collection and use of land cadastral information, within its competence carries out control over observance of such norms;

32) carries out methodical provision of local executive authorities on matters of land relations regulation;

33) ensures establishment, forming and maintenance of the State fund of lands arrangement documentation;

34) takes within the set order measures of pre-court settlement of controversies, applies to court with claims about protection of its rights and on matters of law requirements breaches;

35) implements other authorities, defined by laws of Ukraine and assigned to SALR of Ukraine by the President of Ukraine.

5. For organization of its activity SALR of Ukraine:

1) performs activities for prevention of corruption, adherence by employees of SALR of Ukraine and its territorial bodies requirements of law on civil service and fight against corruption;

2) ensures within its authority implementation of the state policy about personnel work and civil service, operation of field system of preparation, re-qualification and further training of employees of SALR of Ukraine and its territorial bodies, as well as of enterprises, institutions and organizations, belonging to the sphere of its governance;

3) develops action plans and organizes work of its territorial bodies, provides them with methodical and practical assistance, controls their activity and takes measures for elimination of detected flaws and violations;

4) organizes consideration of claims of citizens, legal persons, executive authorities, local self-government bodies and gives explanations of the matters within its competence;

5) ensures within its authority implementation of the state policy in the field of the state secret protection, performance of control over preservation of information that is a state secret, in the main office of SALR of Ukraine;

6) ensures performance of tasks of mobilization preparation and mobilization of readiness of the state within authority established by law.

6. SALR of Ukraine is entitled to:

1) involve scientists and experts (with their consent), specialists of central and local executive authorities in performance of some works, participation in review of some matters;

2) receive information, documents and materials from state authorities and local self-governments, enterprises, institutions and organizations of all forms of ownership and their officials;

3) call meetings, establish commissions and working groups;

4) use corresponding information data bases of state authorities, state, including governmental, systems of connection and communication, networks of special connection and other technical means;

5) represent MAPF of Ukraine by errand of the latter in international organizations and during conclusion of international treaties;

6) establish with consent of the Minister printed media and perform issuing activity with the aim of presenting matters of implementation of the state policy in the sphere of land relations regulation.

7. SALR of Ukraine carries out its authorities either directly or through accordingly established territorial bodies in the Autonomous Republic of Crimea, regions, cities of Kyiv and Sevastopol, districts, cities, as well as through intercity, inter-district territorial bodies or territorial bodies of cities of district subordination.

8. SALR of Ukraine during performance of tasks, assigned to it, cooperates within the set order with other executive authorities, subsidiary bodies and services, established by the President of Ukraine, as well as with local self-governments, associations of citizens, trade unions and organizations of employers, corresponding bodies of foreign states and international organizations, enterprises, institutions and organizations.

9. SALR of Ukraine within its authority on the basis and pursuant to the Constitution and laws of Ukraine, acts and errands of the President of Ukraine, acts of the Cabinet of Ministers of Ukraine, orders of MAPF of Ukraine and errands of the Minister issues orders of organizational-administrative nature, that are signed by the Chairman of SALR of Ukraine.

10. SALR of Ukraine is headed by a Chairman who is appointed and dismissed by the President of Ukraine on submission of the Prime-minister of Ukraine, submitted based on propositions of the Minister.

11. Chairman of SALR of Ukraine:

1) heads SALR of Ukraine, manages its activity, represents SALR of Ukraine in relations with other bodies, enterprises, institutions, organizations;

2) submits to the Minister propositions about formation of the state policy in the field of land relations and the developed by SALR of Ukraine drafts of laws, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine, ensures their guidance;

3) develops and submits to the Minister the developed by SALR of Ukraine drafts of normative-legal acts of MAPF of Ukraine on matters, belonging to the sphere of activity of SALR of Ukraine, ensures their guidance;

4) ensures implementation by SALR of Ukraine of the Constitution and laws of Ukraine, acts and errands of the President of Ukraine, acts of the Cabinet of Ministers of Ukraine, orders of MAPF of Ukraine and errands of the Minister;

5) adopts with consent of the Minister the approved at the collegium meeting annual work plan of SALR of Ukraine, activities about implementation of main directions and priority objectives of its activity in line with the defined tasks;

6) reports to the Minister about execution of an annual work plan of SALR of Ukraine and of tasks assigned to it, about elimination of violations and flaws, detected during checks of activity of SALR of Ukraine, its territorial bodies, as well as about bringing to liability officials guilty of violations;

7) submits propositions to the Minister about candidates for positions of his/her deputies;

8) approves segregation of duties between his/her deputies;

9) submits to the Minister propositions about establishment within the set staff number of civil servants and employees of SALR of Ukraine, and funds, foreseen for its maintenance, as well as about liquidation, reorganization by the Cabinet of Ministers of Ukraine of territorial bodies of SALR of Ukraine, that are legal persons;

10) appoints with consent of the Minister and chiefs of corresponding local state administrations and dismisses managers of territorial bodies of SALR of Ukraine, appoints with consent of the Minister and dismisses deputy chiefs of managers of territorial bodies of SALR of Ukraine;

11) approves statutes about structural units of the main office of SALR of Ukraine and submits to the Minister statutes of territorial bodies of SALR of Ukraine for approval;

12) submits to the Minister propositions about staff number of civil servants and employees of the main office of SALR of Ukraine;

13) ensures cooperation of SALR of Ukraine with the defined by the Minister structural unit of MAPF of Ukraine;

14) ensures adherence to the established by the Minister order of direction and coordination of activity of SALR of Ukraine in line with the tasks, assigned to it, as well as exchange of information between MAPF of Ukraine and SALR of Ukraine and timeliness of its submittal;

15) appoints and dismisses with consent of the Minister heads and deputy heads of structural units of the main office of SALR of Ukraine, appoints and dismisses other civil servants and employees of the main office of SALR of Ukraine;

16) considers within the set order the matter of promotion of employees of the main office of SALR of Ukraine with corresponding ranks of civil servants, their stimulation;

17) submits to the Minister pursuant to the procedure, established by law, an application for promotion of employees of SALR of Ukraine with the state rewards;

18) with consent of the Minister approves the structure and staff number of employees of territorial bodies of SALR of Ukraine within the staff number of employees of SALR of Ukraine;

19) brings pursuant to the procedure, established by law, to disciplinary liability officials of the main office of SALR of Ukraine, its territorial bodies, as well as managers of enterprises, institutions and organizations, belonging to the sphere of its governance;

20) executes other authorities, defined by laws of Ukraine and assigned to him/her by the President of Ukraine.

12. Chairman of SALR of Ukraine has deputies, including one first deputy.

Deputies Chairman of SALR of Ukraine, including the First Deputy are appointed by the President of Ukraine on proposition of the Prime-Minister of Ukraine, submitted based on propositions of Chairman of SALR of Ukraine, agreed upon with the Minister.

Deputies Chairman of SALR of Ukraine, including the first one are dismissed by the President of Ukraine.

13. In order to solve in an agreeable manner matters within competence of SALR of Ukraine, to discuss the most important directions of its activity a collegium is formed in SALR of Ukraine.

Decisions of the collegium are brought into force by orders of SALR of Ukraine.

For review of scientific recommendations and expert consultations on main matters of activity permanent or temporary consultative, advisory and other subsidiary bodies may be established in SALR of Ukraine.

Decision about establishment and liquidation of a collegium, permanent or temporary consultative, advisory and other subsidiary bodies, their quantitative and personal composition, their statutes are approved by Chairman of SALR of Ukraine.

14. Staff number of civil servants and employees of SALR of Ukraine is approved by the Cabinet of Ministers of Ukraine.

Structure of the main office of SALR of Ukraine is approved by Chairman of SALR of Ukraine with consent of the Minister.

Manning table and cost-estimate of SALR of Ukraine are approved by Chairman of SALR of Ukraine with consent of MoF.

SALR of Ukraine is a legal person; it has its stamp with the State Emblem of Ukraine and its name, own forms, accounts in the State Treasury bodies.

Strategic objectives (lines) of activity of SALR of Ukraine for 2012

Establishment of preconditions for a full-fledged operation of a land market:

- To attend consideration of the draft law “On Land Market” in the Parliament of Ukraine till its adoption.
- To implement this Law, to develop normative-legal acts for its implementation.
- To conduct a wide-scale explanatory work among the population and rendering of consultancy services for introduction of the land market in Ukraine.
- Completion of primary normative pecuniary valuation of lands of populated settlements.
- Carrying out of normative pecuniary re-valuation of lands of populated settlements (after seven years since primary valuation).
- Normative-legal provision of land bidding. Activation of an auction activity.

Establishment of the system of the state land cadastre and guarantee of rights for land.

- Implementation of the Law of Ukraine “On the State Land Cadastre” (07/07/2011), development of normative-legal acts and standards, establishment of a single state geoinformational system of keeping the state land cadastre and exchange of information between the state land cadastre and the register of rights for real estate.
- Software and material-technical provision of keeping the state land cadastre. Mapping, geodetic and informational provision of keeping the state land cadastre.
- Training-methodological provision of specialists dealing with keeping the state land cadastre and state registration of land parcels.
- Establishment and introduction of financial-economic procedure of operation of the state land cadastre on the basis of payback.
- Total inventory of lands arrangement documentation, input of absent data into the state land cadastre.
- Total check and constant maintenance of electronic books of the state registration of state deeds and contracts for lease of land in actual condition.
- Total inventory of the accepted exchange files and check against data of inventory of lands arrangement documentation and lands valuation, and taking measures for elimination of the identified discrepancies, compiling of final registers of rights for land ownership and land use with reflection of their boundaries on regular cadastral plans and input of corresponding information into the state land cadastre.
- Establishment of an efficient procedure and total introduction of systemic activities for correction of mistakes, personification and expansion of responsibility of officials of licensed economic agents for creation and input of wrong information about an object of cadastral accounting

Strategic planning of use of lands and lands arrangement

- To ensure development of legislative acts on simplification of the procedure of demarcation of lands of the state and communal ownership; on lands arrangement works related to establishment and change of boundaries of administrative-territorial units.
- To develop a decree of the Cabinet of Ministers of Ukraine “On Approval of the Procedure of Inventory of Lands”.
- To conduct inventory of lands of agricultural purpose.
- To conduct demarcation of lands of the state and communal ownership.

- To continue development of normative-technical documents, standards, norms and rules in the field of lands arrangement and lands protection.

Identification and normative-legal provision of strategic lines of land relations development.

- To develop a State Target Program of Land Relations Development in Ukraine till 2020.
- To improve land legislation

Institutional Structure of State Agency for Land Resources of Ukraine

The total administrative staff: 252 persons
Civil servants – 247
employees - 5

Structure of the State Agency of Land Resources of Ukraine