



Supporting Transparent Land Governance in Ukraine

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Land 
Transparency

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Governance in Ukraine



Overall objective and implementation modalities

Objective: Create preconditions for transparent functioning of land markets to ...

- ...enhance efficiency and sustainability of resource use
- ...provide a basis for rural investment and growth by small and medium farms & rural SMEs
- ...counter rural depopulation and impoverishment

Supported by EU (2nd phase) implemented in close collaboration with

- Ukrainian institutions (MoEDTA/A, SGC, MoJ, NAIS, FLA, MDT, MCDT, Ukrstats)
- EU-supported projects (SAFPI, U-LEAD, PRAVO) and other partners

Modalities of implementation

- Technical assistance, studies, monitoring – no hardware
- Piloting and impact evaluation of new approaches – but cannot substitute for Government work

Complements & helps catalyze other types of Bank support

- Legal and land policy reform under Development Policy Loan (DPL) (US\$ 700 mn)
- US\$ 160 out of 200 mn. under 'Program for Results' (P4R) (see annex1 for details)
- Potential future support for agricultural & rural development

Agreed goals for additional contribution

- Land governance strategy/roadmap adopted
- Agrarian registry (AR) operates; used to target & disburse state support (SS)
- Banks access AR & leverage SS for small farmer credit
- Reform of SGC towards a service organization is implemented
- Land registration & transfer are simplified w. clear role for private sector
- Cadaster & registry are fully interoperable & reasonably complete
- Local Gov'ts have capacity & data to develop & enforce plans; ↑ land revenue by 25%
- Landowners are aware of legal framework & incidence of land disputes is monitored
- Procedures & structure to monitor land governance established

Land governance roadmap adopted

Accomplishments

- Legal basis developed & partially passed
- Communication/advocacy for legal reform
- Support to & monitoring of CMU resolution completion
- Supported roadmap development

Actions to be taken

- | | | |
|--|-----|-----|
| • Fully elaborate roadmap & agree among relevant institutions | MoA | |
| • Conduct high-level awareness campaign for land laws | MoA | |
| • Approve remaining legislation (esp. 2194, 2195, 3205) | MoA | DPL |
| • Disseminate roadmap; link to medium term expenditure framework | MoA | P4R |
| • Develop framework for independent roadmap monitoring | MoA | |

AR used to target & disburse state support

Accomplishments

- Law 3295 passed; draft resolution elaborated (SAFPI lead)
- Infrastructure (APIs) to access other registries put in place
- AR sign-up software developed & piloted successfully
- Tender for payment module launched (to be used for piloting)

Actions to be taken (all w. SAFPI)

- | | | |
|---|---------|------------|
| • Complete & adopt resolutions/orders; accept sign-up software for roll-out | MoA | P4R |
| • Improve statistical data on small farms; establish data QC | UkrStat | |
| • Develop online lease registration/error correction & link to AR sign-up | MoJ/SGC | |
| • Identify state support programs to pilot & set aside budget resources | MoA | |
| • Develop manuals; design awareness campaign for sign-up process | MoA | |

Banks access AR & leverage SS for SME credit

Accomplishments

- Draft PCG law (3205) & manual available
- Software for price data monitoring deployed; analysis note prepared
- Dialogue with banks to identify regulatory obstacles to credit expansion
- Regulation to allow bank access to AR

Actions to be taken

- | | | |
|--|-----|--------|
| • Pass 3205 & earmark resource for PCA | MoA | DPL/EU |
| • Establish & publicize PCA; pass associated resolutions | MoA | |
| • Identify banks interest in leveraging SS to expand w. own programs | MoA | |
| • Elaborate requirements and integrate in pilot as much as possible | MoA | |

SGC reformed to be a service organization

Accomplishments

- Law 554 (2370) passed & 1/3 regulations completed
- Suitability of HRSI for 1:10,000 topomaps demonstrated
- IT/data audit order passed & external part completed
- Draft SGC transformation plan produced

Actions to be taken

- | | | |
|---|-------------|-----|
| • Exeditiously finish regulations on 2370 & 2194 once passed | SGC/
MoJ | P4R |
| • Complete unreg. land baseline; use to tender inventory compl. (by oblast) | SGC | P4R |
| • Expedite implementation of IT/data audit & draw conclusions | SGC | |
| • Adjust & formally approve transformation plan | SGC | |
| • Explore revenue gen. options from value-added service provision | SGC | |

Cadaster & registry complete & fully interoperable

Accomplishments

- Methodology to quantify/track unregistered public land developed
- Draft address registry law supported (w. EU-PRAVO)
- HRSI & footprints acquired for Kharkiv as a pilot case
- Draft data structure for integ. real estate registry developed (w PRAVO)

Actions to be taken

- Use footprints to analyze registry coverage gaps & implications MDT/MinReg
- Develop & test method to close building reg. gaps (EU-PRAVO) MDT/MinReg
- Analyze fiscal impacts of coverage gaps & mechanisms for closing them MDT/MinReg
- Integrate above into land use planning methodology/guidance MDT/MinReg

ATCs plan/enforce land use ↑ land revenue by 25%

Accomplishments

- Law 711 adopted (0/5 resolutions approved)
- Phase I digitization of nature reserves completed
- Methodology of satellite-based crop cover monitoring (CCM) established
- Data on crop cover generated & published for 4 years

Actions to be taken

- | | | |
|---|----------|-----|
| • Finish regulations for law 711 to elaborate territorial dev. plan (TDP) | MinReg | P4R |
| • Digitize & publish on public cadastral map env. sensitive sites | SGC/ME | |
| • Disseminate CCM data; explore use for smallholders; yields; environment | MoA | |
| • Tender orthophotos & footprints nation-wide; streamline TDP processing | SGC | P4R |
| • Use tax service data to quantify rural tax gap & ways to close it | MFin/MRg | |

Land reg. & transfer simplified; private sector role

Accomplishments

- Supported development of regulations for 340 (2/3) & 552 (0/3)
- Supported anti-raider expert office & recommendations (w. PRAVO)
- Tested methodologies for identification & correction of errors

Actions to be taken

- Implement anti-raider recomm's (process, IT, data quality) w. EU PRAVO MoJ
- Provide access to land admin. data & imagery as per law SGC
- Provide input into DB cabinet memo MDET

Landowners aware of laws; land disputes tracked

Accomplishments

- Material to support AR sign-up developed & disseminated with FLA
- Comments on land-related FLA material developed

Actions to be taken

- Assess local outreach/trust of key existing comm. channels
- Design & implement FLA/MoJ land case monitoring system FLA P4R
- Develop & disseminate new info materials on completed resolutions/laws FLA
- Test effectiveness of materials with farmers, local officials, service prov's FLA P4R
- Implement monitoring system with continuous feedback loops FLA P4R

Method & structure to monitor land governance

Accomplishments

- Monitoring mandated in 2194; draft variable list & data sources identified
- MoEDTA supported with staff to help with data integration/analysis
- Political agreement on importance of monitoring
- ToR for variable construction tendered
- Specifications for software to automate monitoring available

Actions to be taken

- | | | |
|---|---------|-----|
| • Finalize resolutions once 2194 passed | MoA | |
| • Beef up MoA policy unit; use public geoportal for monitoring data | MoA/KSE | |
| • Develop data cleaning & reporting methodology for key indicators | MoA/KSE | |
| • Define scope & tender monitoring software | MoA | P4R |
| • Start releasing monthly reports | MoA | P4R |

Points for discussion

1. Modalities for elaboration, adoption & dissemination of roadmap/action plan
2. Substantive comments (additions/deletions; inst. responsibilities, dates) on indiv. items
3. Links to complementary programs
4. Mechanism to keep things on track

Annex: Resource allocation under P4R (US\$ mn)

Total land related	159.5
SGC restructuring	88.0
Decentralization	33.0
Agrarian registry- state support	27.5
Free Legal Aid	11.0

Annex: Resource allocation under P4R (US\$ mn)

SGC restructuring (SGC)	88	AR (MoEDTA)	27.5
LG monitoring public	4.0	Registry operational	3.0
Orthophoto&topomaps national	41.0	SS priorities adopted	1.5
Inventory methodology (2194)	8.0	Expenditure framework	5.0
E-auction platform (2195)	5.0	40% of SS to small farmers	12.0
100% state land registered usg new participatory methodology	30.0	60% of SS to small farmers	6.0
Decentralization (MCTD)	33	Free Legal Aid	11
Methodology for local plans	3.0	Methodology to identify land issues & measure FLA impact	1.75
600 plans developed	18.0	Response time < 10 days 4 a	5.5
Land revenue of \$ 150 mn.	12.0	> 90,000 beneficiaries of land advice; > 50% women	3.75