

ppi 201502ZU4645

Publicación científica en formato digital

ISSN-Versión Impresa 0798-1406 / ISSN-Versión on line 2542-3185

Depósito legal pp 197402ZU34



CUESTIONES POLÍTICAS

Instituto de Estudios Políticos y Derecho Público "Dr. Humberto J. La Roche"
de la Facultad de Ciencias Jurídicas y Políticas de la Universidad del Zulia
Maracaibo, Venezuela



Vol.40

Nº 75

2022



Legal Instruments for Solving Socio-Economic Problems in Buchanskyi district of Kyiv region: International Experience and Legislation of Ukraine

DOI: <https://doi.org/10.46398/cuestpol.4075.39>

Volodymyr Ustymenko *
Olena Zeldina **
Vladyslav Teremetskyi ***
Nataliia Herasymenko ****
Olesia Batryn *****

Abstract

The purpose of the article is to identify the legal instruments that can be used to solve the socio-economic problems of post-conflict Ukraine based on the analysis of international experience. The research methods used were: analysis, synthesis, systematic interpretation, comparison, generalization and prognosis, etc. The socio-economic situation in the Buchanskyi district of the Kiev region of Ukraine after the occupation and military actions is considered. Socio-economic problems associated with the occupation and military actions are justified: destroyed housing, transport infrastructure, social infrastructure, industrial facilities and municipal facilities; low level of socio-economic development of the region; outflow of working population, including qualified specialists; lack of workplaces. It is concluded that, to solve the socio-economic problems of post-conflict Ukraine, such legal instruments can be used as: imposition of special economic zones, granting the status of “recovery territory”, creation of innovation parks, simplification of

* Doctor in Law, Corresponding Member of the National Academy of Sciences of Ukraine, Professor, Director of the State organization «V. Mamutov Institute of Economic and Legal Research of the National Academy of Sciences of Ukraine» of the National Academy of Sciences of Ukraine, Kyiv, Ukraine. ORCID ID: <https://orcid.org/0000-0002-1094-422X>

** Doctor in Law, Professor, Head of Sector of the State organization «V. Mamutov Institute of Economic and Legal Research of the National Academy of Sciences of Ukraine» of the National Academy of Sciences of Ukraine, Kyiv, Ukraine. ORCID ID: <https://orcid.org/0000-0002-7275-7817>

*** Doctor in Law, Professor leading research scientist of the Department of International Private and Comparative Law, Academician F.H. Burchak Scientific Research Institute of Private Law and Entrepreneurship, National Academy of Legal Sciences of Ukraine, Kyiv, Ukraine. ORCID ID: <https://orcid.org/0000-0002-2667-5167>

**** PhD in Law, Senior Researcher of the State organization «V. Mamutov Institute of Economic and Legal Research of the National Academy of Sciences of Ukraine» of the National Academy of Sciences of Ukraine, Kyiv, Ukraine. ORCID ID: <https://orcid.org/0000-0003-4420-4972>

***** PhD in Law, judge of the Pechersky District Court of Kyiv, Kyiv, Ukraine. ORCID ID: <https://orcid.org/0000-0001-9798-201X>

permit procedures for the acquisition of land rights and for the start of reconstruction. Finally, the legal norms that are premises for the use of the above-mentioned legal instruments and revealing the directions of their improvement are investigated.

Keywords: legal instruments; Buchanskyi district of Kiev region; socio-economic problems; special economic zones; reclamation territory.

Instrumentos legales para resolver problemas socioeconómicos del distrito de Buchansky de la región de Kiev: experiencia y legislación internacional

Resumen

El propósito del artículo es identificar los instrumentos legales que se pueden utilizar para resolver los problemas socioeconómicos de la Ucrania posterior al conflicto en función del análisis de la experiencia internacional. Los métodos de investigación utilizados fueron: análisis, síntesis, interpretación sistemática, comparación, generalización y pronóstico, etc. Se considera la situación socioeconómica en el distrito de Buchanskyi de la región de Kiev de Ucrania después de la ocupación y las acciones militares. Los problemas socioeconómicos asociados con la ocupación y las acciones militares están justificados: viviendas destruidas, infraestructura de transporte, infraestructura social, instalaciones industriales e instalaciones municipales; bajo nivel de desarrollo socioeconómico de la región; salida de población activa, incluidos especialistas calificados; falta de lugares de trabajo. Se concluye que, para resolver los problemas socioeconómicos de la Ucrania posterior al conflicto, se pueden utilizar instrumentos legales como: la imposición de zonas económicas especiales, otorgando el estatus de «territorio de recuperación», la creación de parques de innovación, simplificación de trámites de permisos para la adquisición de derechos de tierra y para el inicio de la reconstrucción. Finalmente, se investigan las normas jurídicas que son premisas para el uso de los citados instrumentos jurídicos y revelando las direcciones de su perfeccionamiento.

Palabras clave: instrumentos jurídicos; distrito de Buchanskyi de la región de Kiev; problemas socioeconómicos; zonas económicas especiales; territorio de recuperación.

Introduction

The negative socio-economic situation resulting from the military actions in Ukraine requires an extraordinary and immediate solution. The destruction of industrial and infrastructure facilities during the military actions had an extremely negative impact on the economic processes in Ukraine, so the economy in this period is significantly different from the economy in peacetime. During the war there are intensive population movements, macroeconomic imbalance, low mobilization of public incomes, deterioration of social indicators and weakening of institutions. The combined weight of these problems makes it extremely difficult to generate income and grow the economy long after the conflict is over.

Ukrainian society cannot wait for the end of military actions, so the problems in the socio-economic sphere must be solved without delay. “Post-conflict reconstruction is aimed at strengthening peace and security, as well as achieving sustainable socio-economic development in a country destroyed by war.

The term “post-conflict” does not mean the destruction of the root causes of the conflict. It also does not mean the complete cessation of military actions, which often reoccur even after the signing of a peace agreement or the holding of elections. It often means only a reduction in military actions or “a window of opportunities” for peace in a conflict that can escalate again if not managed properly (Fischer, 2004; Hamre *et al.*, 2002).

It is worth noting that when the United States announced the Marshall Plan, the result of World War II was generally accepted. On the contrary, modern reconstruction works often begin in highly unresolved post-conflict conditions where renewed military actions are still very likely (Chesterman, 2004).

1. Methodology of the study

The authors of this study used the dialectical method of cognition and a number of general scientific special methods of scientific research.

Thus, the method of monographic analysis helped to clarify the issues that are relevant and researched by scientists and covered in scientific publications. The method of analysis and synthesis made it possible to summarize information on the main trends in solving socio-economic problems in military conflicts in world practice. The application of the systematic method allowed to systematize socio-economic problems in Buchanskyi district of Kyiv region, which are caused by the occupation and military actions.

The method of economic and legal analysis was used to identify legal instruments that can be used to solve socio-economic problems in the Buchanskyi district of Kyiv region, namely: the introduction of special economic zones, granting the status of “territory of recovery”, the creation of innovation parks, simplification of permitting procedures for acquiring land rights and for the beginning of the construction. The method of generalization allowed to make conclusions based on the conducted research.

2. Analysis of recent research

A small number of scientific works are devoted to the study of legal instruments that can be used to solve socio-economic problems in Buchanskyi district of Kyiv region through the prism of world experience. We are convinced that this indicates the relevance and need for research on this issue.

Thus, the peculiarities of legal regulation of the introduction of martial law in Ukraine are considered in the joint work of Teremetskyi and Vasyliiev (2022). The scientific work Cohn *et al.*, (2018) is devoted to the directions of post-war economic recovery. The issue of revival and reintegration is considered in the scientific work of Fischer (2004). The formation of the process of economic governance in post-conflict countries and the application of the lessons of the Marshall Plan in Iraq is devoted to the work of Lewarne *et al.* (2004). The problems of post-conflict reconstruction are discussed in the scientific research of Hamre *et al.* (2002).

The issue of economic reconstruction of Bosnia and Herzegovina is considered in the works of Tzifakis *et al.* (2006). The issues of rebuilding the war-destroyed economy are considered in the scientific work of Haughton (2001), the issues of introducing priority development areas to solve socio-economic problems in Ukraine are considered in the scientific work of Ustymenko *et al.* (2021).

Based on the results of the studies of these scientists, it is advisable to direct scientific research to identify legal instruments that can be used to solve the problems of post-conflict Ukraine.

3. Results and Discussion

3.1. Analysis of the socio-economic situation in Bucha district of Kyiv region after the occupation and military actions

As a result of the military actions in the Kyiv region of Ukraine, such human settlements as Bucha, Irpin, Hostomel, Borodianka were critically

damaged. According to the specialists of the Ministry of Economy of Ukraine, the damage caused to Bucha amounts to 449 million US dollars. Totally, 1,354 buildings were damaged in Bucha, 1,230 of them are residential buildings, 29 - educational institutions, 9 - medical institutions, 12 - municipal facilities. 55 km of power lines, 75 km of gas pipeline and 10 km of water pipeline were destroyed, a traction power plant and water supply facilities that centrally supplied Bucha with electricity and water were bombed (It became known what damages Russian troops inflicted on Bucha, 2022).

During the occupation of Irpin, 10.5 thousand buildings were damaged, 2501 of which were completely or strong destroyed, and the damage to the city's infrastructure is estimated at 25.3 billion hryvnias or almost 922 million US dollars. A significant number of industrial infrastructure facilities were destroyed (Irpen's losses from the war with Russia amount to \$922 million, 2022).

Damages from the destruction of the airport in Gostomel are estimated at one billion US dollars. Except for the destruction of the An-225 Mriya and other airplanes, the airfield infrastructure and the flight test base were almost completely destroyed (Hordiichuk, 2022). In urban settlement Borodyanka, 164 buildings were damaged, including 42 completely destroyed houses (Pryshchepa, 2022).

Currently in the human settlements: Bucha, Irpin, Hostomel, Borodianka have the following problems: destroyed housing stock, transport infrastructure (roads, bridges, etc.), social infrastructure (educational institutions, medical facilities, etc.), industrial facilities, power lines, water supply facilities, other municipal facilities; low level of socio-economic development of the region; there is an outflow of working population, including qualified specialists; lack of working places.

Therefore, it is necessary to create new and preserve existing working places:

First, there is the need to rebuild what war too often destroys: homes; tools, animals, plants, markets, workshops, factories and other means of livelihood; bicycles, carts, cars, buses and other forms of mobility; roads, bridges, railways, power grids, schools, hospitals and clinics, and more. Second, beyond rebuilding that which has been destroyed, war creates an entirely new set of needs, including: gaps caused by war's disruption of health care and education which need to be remedied; both individuals and families dealing with the injuries and traumas of war need systems of care; roads and fields need to be de-mined; despoiled and poisoned landscapes need recovery efforts; widow- and child-headed households need new forms of livelihood and support; and large numbers of people who have been displaced need to be resettled. Third, there will need to be a transformation from a war economy, in which some of a country's most violent actors' control and exploit both licit and illicit goods, to a peacetime economy (Cohn *et al.*, 2018: 2).

Solving these problems requires significant financial resources, but the state and local budgets of Ukraine do not have such resources. This is due to the fact that Ukraine has a very low capacity to collect revenues to meet these needs, as the productive sector of the economy has decreased disproportionately during the war, and it is the main tax base. At the same time, there is a need for high military spending during the war.

Despite the existing problems, it is necessary to find effective tools to solve the whole complex of problems. Their solution is possible by attracting national and foreign investments. However, it is very problematic to attract investors to the region where there were military actions and destroyed transport, social and industrial infrastructure. Therefore, it is necessary to find a special economic and legal mechanism that will solve this problematic situation.

It is not enough to determine what needs to be done; it is also important to know when - i.e., to sequence reforms properly and, implicitly, to make choices about what to do and what not to do at any point in time. The main lesson is that one must move quickly, especially with the stroke-of-the-pen measures, which include opening up to trade, getting an appropriate exchange rate, cutting inflation, bringing the budget deficit to a manageable level, and petty privatization. Most other issues simply cannot be resolved so quickly, and will need to wait (Haughton, 2001: 256).

3.2. The main trends of solving socio-economic problems in the conditions of military conflicts in the world practice

To develop solutions in such a difficult situation, it is necessary to turn to the experience of countries that have been in the same or similar situation and analyze the economic and legal instruments that have been used in world practice to solve these socio-economic problems in the context of military conflicts, as well as the possibility of adapting them to Ukrainian realities.

Despite the fact that donors have recently participated in numerous post-conflict reconstruction programs, the recovery of Western Europe after the end of World War II is considered the most successful story. This is not due to the amount of money that was provided to Western European countries.

While Germany received about 200 USD per person during the first two post-war years, Bosnia and Herzegovina received over 1400 USD per person after the signing of the Dayton Agreement (Lewarne *et al.*, 2004). However, in the case of Bosnia, the availability of such large amounts of aid had a negative side effect on the dependence of the local economy on aid. The Bosnian case has also shown that serious coordination problems can

arise when several donors are involved in reconstruction and each of them defines their own aid programs. “For example:

The reconstruction of Bosnia demonstrated that the adoption by the international community of a predominant role in the management of a recipient’s economy could have as a side-effect the absence of ‘local ownership’ and the development of passivity towards the reform process (Tzifakis *et al.*, 2006: 79).

The analysis of existing examples in the world practice of solving socio-economic problems after military actions allows us to highlight several aspects:

- 1) there are many ways in which donors can usefully help in post-war economic recovery;
- 2) projects in war-torn economies need to be flexible, as conditions change rapidly;
- 3) the control over the project implementation is very important;
- 4) it is important to develop local human and financial potential;
- 5) some projects, no matter how promising they may be on paper, may be premature in conditions of weak governance structures;
- 6) it is necessary to use existing advantages;
- 7) recovery can be very slow and requires the creation of long-term growth relationships.

Thus, successful post-conflict recovery requires sustained economic growth that is accompanied by employment expansion and solves horizontal inequalities where they are severe. State capacity, including the ability to generate revenue and spend it effectively, must be quickly restored. Recovery efforts should first prioritize incentive policies that will attract investment and also facilitate the return of skilled labor. This can be crucial for recovery, especially in the early stages.

3.3. Analysis of Ukrainian legislation that can be a premise for solving socio-economic problems of post-conflict Ukraine

The study of Ukrainian legislation shows that there are legal norms that can be used to solve socio-economic problems in post-conflict Ukraine. These are the existing legal norms that have already demonstrated in practice the possibility of being a mechanism for solving problems in the economy of Ukraine, as well as the legal norms that have recently been adopted or are awaiting adoption and are directly related to the need to solve the socio-economic problems that have developed after the hostilities in the Buchanskyi district of the Kyiv region of Ukraine.

Let us dwell in more detail on the norms of law that can become a legal instrument for solving the problems of modern Ukraine, including in Buchanskyi district of Kyiv region (table. 1).

Table No. 01. Legal instruments for solving socio-economic problems of post-conflict territories of Ukraine.

	Legal instruments for solving socio-economic problems of post-conflict territories	Regulatory and legal support
1.	Creation of special (free) economic zones (SEZ), providing incentives for investors who invest in the restoration of production and infrastructure facilities.	Article 401 of the Commercial Code of Ukraine
2.	Granting the status of "territory of recovery", which provides for the establishment of special mechanisms by the executive authorities and local self-government bodies to stimulate the development of territories where military actions took place and which suffered destruction of infrastructure and housing.	Article 11 ² of the Law of Ukraine "On the Principles of State Regional Policy" as amended on 27.07.2022
3.	Creation of innovation parks as an instrument for the development of the post-conflict economy of Ukraine in an innovative way.	Draft Law of Ukraine "On innovation parks"
4.	Simplification of permitting procedures for acquiring land rights and for the beginning of the construction	Draft Law of Ukraine "On quick investments"

Source: compiled by authors.

Firstly, Article 401 of the Economic Code of Ukraine (Verkhovna Rada of Ukraine, 2003) provides for the possibility to create special (free) economic zones (SEZ), which can be of different types: free customs zones and ports; export; transit zones; customs warehouses; technology parks; technopolises; integrated production zones; tourist and recreational; insurance; banking; etc. and combine functions inherent in different types of SEZ.

In Ukraine, in the period from 1998 to 2005, such types of special management regime as special economic zones and territories of priority development functioned, which demonstrated a positive impact on the economy of depressed regions of Ukraine. This is confirmed by figures and examples of activities of a number of significant enterprises in Ukraine. In particular, investments of approximately USD 4.2 billion were attracted, 50709 new working places were created and 83 028 working places were preserved, 11.3 billion UAH were paid to the budgets of different levels (Ministry of Economy of Ukraine, 2020).

Among the most significant companies that implemented investment projects under the special management regime in Ukraine, it makes sense to highlight the following: plant firm of CARGILL (USA), which processed

sunflower and produced vegetable oil; «Knauf Gypsum Donbas» Limited Liability Company, which implemented an investment project with an investment volume of more than 50 million euros to create a modern production of dry building mixtures and «Knauf» gypsum boards, and it was with this project that «Knauf» company associated further prospects for its development in Ukraine; taking advantage of the economic incentives under the special management regime, world-famous companies worked in Ukraine: Philips, Volkswagen, Audi, Skoda, Flextronics, Leoni, Yazaki, Jebill, Henkel, Lego and others.

The analysis of the functioning of the special management regime in Ukraine, in the period from 1998 to 2005, shows the following: incentives were provided for investors, which had a positive impact on the investment attractiveness of Ukraine and allowed to attract additional funds to the economy of Ukraine; revenues to the budgets of different levels gradually increased; new working places were created and existing ones were preserved; it was possible to attract world-famous companies to the territory of Ukraine; the creation of new and preservation of existing enterprises allowed to launch a multiplier effect, i.e. with the growth of production there was a corresponding increase in the costs of intermediate products, then because of the costs of related industries there was an increase in almost the entire economy.

At the same time, it should be noted that today the law that determined the mechanism of creation and functioning of special economic zones in Ukraine has lost its force. Thus, the rules of law on the creation of special economic zones, which are provided by the legislation of Ukraine, are a premise for the use of this legal instrument to solve the problems that exist in the post-conflict territories in Ukraine. At the same time, for the effective functioning of this legal instrument it is necessary to develop and adopt a mechanism for the practical application of special economic zones.

Special economic zones, as an important tool for attracting investments and developing territories, have been successfully used in foreign practice for a long time.

The experience of Poland is interesting, since the input parameters of the introduction of special economic zones are similar to the Ukrainian realities of economic development (the presence of depressed regions, high unemployment, weak development of market relations). The special economic zones of Poland provide for a differentiated system of benefits: exemption of legal entities from corporate income tax until 2026, the amount of tax preferences is 30-70% of the volume of investments made (depending on the territory and scale of the business) or, optionally, compensation for two years of expenses for the created workplace; exemption of individuals from income tax; preferences can be provided on private territory, which can be included in the special economic zone (SEZ, 2021).

It is worth mentioning that in Poland, as well as in Ukraine, the issue of the destructive impact of the use of preferential financial and credit conditions as schemes for shadowing economic processes was actively discussed. At the same time, the effectiveness of the functioning of special economic zones in Poland is indicated by the economic positive effect: an increase in the number of working places (in the areas where special economic zones operate, unemployment is lower by 2-3 %, GDP is higher by 7-8 % compared to other regions of the country); crisis regions have been rebuilt; the volume of investments in 2005-2015 increased from 19.9 to 101.0 billion PLN, i.e., by 407 % (Barański *et al.*, 2014). This allowed, even after the expiration of the initial functioning of special economic zones (until 2017), to continue at the legislative level the use of the potential of special economic zones until 2026.

Of interest is the experience of Italy, where the depressed region is the agrarian South, where live 40% of the country's population and produces more than 25% of total GDP. In order to stimulate investment activity in depressed regions of Italy, legislation on special economic zones was adopted in 2017-2018. The legislation provides three types of benefits for companies located in special economic zones (Dialti, 2018):

1. tax credit for companies that start their business activities or invest in special areas consisting of harbours, airports and adjacent areas, logistics platforms and marinas. The tax credit is equal to 20% of the investment (limited to a maximum of 50 million EUR) for small businesses, 15% for medium-sized businesses and 10% for large companies, unless different rates apply in certain areas. The tax credit can only be compensated at the expense of other tax obligations;
2. accelerated procedures and terms for issuing permits;
3. reduced administrative fees.

Secondly, the Law of Ukraine "On the Principles of State Regional Policy" in the editorial office on 27.07.2022 (Verkhovna Rada of Ukraine, 2022) provides for the classification of regions and territories of Ukraine into functional types for the purpose of planning recovery and introducing special mechanisms and tools to stimulate the development of these territories.

Thus, depending on the consequences of the destruction and according to the indicators defined by the Cabinet of Ministers of Ukraine, 4 functional types of territories have been identified:

- territories of recovery - territorial communities, micro-regions where military actions were conducted or which were temporarily occupied, suffered destruction of infrastructure and housing stock

as a result of military actions and have a sharp deterioration of socio-economic development and significant displacement of the population to other regions or other states;

- regional growth poles - micro-regions, territorial communities characterized by significantly better geographical, demographic, socio-economic indicators of development compared to other similar territories of the region, and whose growth has a positive impact on adjacent territories, the region and the state as a whole;
- territories with special conditions for development - macro-regions, micro-regions, territorial communities, the level of socio-economic development of which is low or where there is natural, demographic, international, security or other objective restrictions on the use of the territory's potential for development;
- territories of sustainable development - self-sufficient micro-regions, territorial communities with existing socio-economic potential of the territories and capable of balanced development in the economic, social and environmental spheres.

Despite the fact that the legislation of Ukraine has established the possibility of granting the status of “territory of recovery”, which provides for the introduction of a special mechanism to stimulate its development, this novella of Ukrainian legislation has not received proper filling. In particular, the essence and procedure for introducing special mechanisms to stimulate the restoration of the territories where military actions took place and which suffered destruction of infrastructure and housing are not defined, there are no benefits for investors and the possibility of insuring military-political risks.

The analysis of the Ukrainian legislation shows that the legislator provides for investment insurance as one of the types of guarantees of their protection, but does not define the mechanism of practical application of this rule of law. As a result, investment insurance has not found proper application in Ukraine. However, taking into account the military-political situation, it is the insurance of military-political risks that should become one of the key guarantees of investor protection. This will allow to offset the risks of investors.

According to scientists, the legislator should provide for insurance against the following military-political risks: loss of investments and other property of the investor; physical damage to investments and other property of the investor; change in the conditions of investment activity, including the abolition of a special mechanism that makes it impossible for the investor to fulfil its obligations (Ustymenko *et al*, 2021).

Thus, the current rules of law on granting the status of “territory of recovery” are a premise for using this legal instrument to solve the problems of post-conflict territories in Ukraine, which includes Buchanskyi district of Kyiv region. The lack of substantive content of such a legal instrument as granting the status of “territory of recovery” makes it declarative and does not allow its use in practice. Therefore, it is necessary to adopt a number of legal acts that should establish a procedure for the introduction of special mechanisms to stimulate the restoration of territories, provide preferential treatment for investors and insurance of military-political risks.

Thirdly, the Cabinet of Ministers of Ukraine has prepared a draft law of Ukraine “On Innovation Parks” (The Cabinet of Ministers of Ukraine, 2022), which introduces a comprehensive and systematic approach to the activities of innovation parks as a tool for the development of the post-conflict economy of Ukraine in an innovative way.

Ukraine has legislation regulating the establishment and operation of technology and science parks, which can be conditionally referred to as “innovation parks”. Technology or science parks are quite common in the world and contribute to the development of the economy. In particular, Poland, Slovakia, Czech Republic, Romania pursues an active economic policy through technology and science parks, creating the most favourable conditions for investors who are able to bring innovative technologies and create workings.

However, in a post-conflict economy, new impulses should be given to activate the mechanisms available in the legislation. Thus, without an active economic policy that would launch the tools of innovation parks at full capacity, it is difficult for Ukraine to reach a new level of economic development.

The draft law “On Innovation Parks”, if finally adopted, will be able to improve the legislation and systematize different types of parks into one in the field of innovation based on the best international practices. This document defines the mechanism for state policy in the field of innovation development, support and stimulation of innovation activities by providing state support to innovation parks, creating favourable conditions for the activities of innovation parks. With the help of mentioned draft law, the state will ensure effective interaction of elements of the national innovation ecosystem, which can become the engine of accelerated economic growth of post-conflict territories.

Fourthly, the Cabinet of Ministers of Ukraine has prepared a draft law “On Rapid Investments”, which provides for the simplification of permitting procedures for acquiring land rights and for starting construction during the implementation of projects aimed at economic recovery. This draft law will soon be sent to the Verkhovna Rada of Ukraine (Ministry of Economy of Ukraine, 2022).

The draft law “On Rapid Investments” stipulates that during martial law and during the reconstruction period, business entities implementing projects included in the List of Economic Recovery Projects will receive the most favourable conditions for investment, namely: reduction of the terms for acquiring land rights - from 18 months to 3 months; the right to a land plot will be acquired without an auction, without land management documentation, with guarantees of non-alienation of the plot; the establishment and change of the intended purpose of the land can be made without observing the rules of correlation between the type of intended purpose and the type of functional purpose of the territory; the design of the construction object can take place without observing urban planning conditions and restrictions, provided that it complies with building regulations.

A restoration project will be considered a project that costs from 500 thousand euros and is aimed at any industry sector (except for waste management and housing construction). To be included in the List of Recovery Projects, a business entity must submit an application to the Ministry of Economy.

These rules of law, if adopted, should become a premise for the use of such a legal instrument as simplification of permitting procedures for acquiring land rights and for beginning construction during the implementation of projects aimed at economic recovery. These legal provisions also require further improvement.

Conclusion

Based on the results of the analysis, the following conclusions can be drawn:

1. The socio-economic situation in the Buchanskyi district of Kyiv region after the military actions demonstrates the need for huge financial investments to restore the housing stock, social and transport infrastructure, production enterprises, etc. Taking into account that the budget of Ukraine does not have such resources, it is possible to solve these problems by involving investment funds.
2. In order to involve investment funds, it is necessary to create an attractive investment environment, which is possible with the help of the following legal instruments: creation of special economic zones, granting the status of the territory of recovery, creation of an innovation park, simplification of permitting procedures for acquiring land rights and for beginning construction in Buchanskyi district of Kyiv region.

3. The positive experience of functioning of special economic zones in foreign countries (Poland, Italy, etc.), as well as in Ukraine, demonstrates that the creation of favorable conditions for investors is an effective mechanism for involving investors and attracting investment funds.
4. The introduction of a differentiated system of incentives for investors at the legislative level, depending on the tasks to be solved in a particular territorial community, insurance of military-political risks will lead to a significant increase in investment capital inflows to Buchanskyi district of Kyiv region.

Bibliographic References

- BARAŃSKI, Paweł; KRZYŻAK, Rafał; MAŃKOWSKI, Marcin; MODZELEWSKA, Adrianna; MOHMAND, Fatima; STROJNY, Mariusz; TERESIŃSKA, Anna; ŻAGUN, Kiejstut; ŻUCHOWSKI, Filip. 2014. "20 lat specjalnych stref ekonomicznych w Polsce: przewodnik po SSE". Warszawa: KPGM, Polska. Available online. In: file:///C:/Users/vladv/Downloads/Przewodnik-po-SSE-w-Polsce-2014.pdf. Consultation date: 15/07/2022.
- CHESTERMAN, Simon. 2004. *You, the People: The United Nations, Transitional Administration, and State-Building*. Oxford: Oxford University Press, United Kingdom. Available online. In: https://www.ipinst.org/wp-content/uploads/publications/the_1.pdf. Consultation date: 07/07/2022.
- COHN, Carol; DUNCANSON, Claire. 2018. "IFI Post-War Economic Recovery Prescriptions, and How Feminists Offer a Better Path to Real Recovery" In: Working Paper No. 501. Available online. In: https://genderandsecurity.org/sites/default/files/Cohn_and_Duncanson_-_IFI_Post-War_Economic_Recovery_Prescriptions_and_Feminist_Alternatives_0.pdf. Consultation date: 05/08/2022.
- DIALTI, Francesco. 2018. "Special Economic Zones finally established by Italy". IBA Newsletter. Available online. In: https://www.cbalex.com/sites/cbalex/files/articles/files/newsletter_iba_28.09.2018.pdf. Consultation date: 11/07/2022.
- EUROFOUND. 2021. "Special economic zones (SEZ)". March 2. Available online. In: <https://www.eurofound.europa.eu/nl/observatories/emcc/erm/support-instrument/special-economic-zones-sez>. Consultation date: 19/08/2022.

- FISCHER, Martina. 2004. "Recovering from Violent Conflict: Regeneration and (Re-) Integration as Elements of Peacebuilding". Berlin: Berghof Research Center for Constructive Conflict Management, Berghof Handbook on Conflict Transformation. Available online. In: <https://berghof-foundation.org/library/recovering-from-violent-conflict-regeneration-and-re-integration-as-elements-of-peacebuilding>. Consultation date: 10/09/2022.
- HAMRE, John; GORDON, Sullivan. 2002. "Toward Postconflict Reconstruction" In: *The Washington Quarterly*. Vol. 25, No. 4, pp. 85-96.
- HAUGHTON, Jonathan. 2001. *The Reconstruction of War-Torn Economies and Peace-Building Operations*. Suffolk University and Beacon Hill Institute. Boston, Massachusetts, U.S.A. Available online. In: https://www.jica.go.jp/jica-ri/IFIC_and_JBICI-Studies/jica-ri/publication/archives/jbic/report/paper/pdf/rp16_e04.pdf. Consultation date: 05/07/2022.
- HORDIICHUK, Ivanna. 2022. "Antonov" estimated the damage from the destruction of the airport in Gostomel. Glavcom. Kyiv, Ukraine.
- LEWARNE, Stephen; SNELBECKER, David. 2004. "Economic Governance in War Torn Economies: Lessons Learned from the Marshall Plan to the Reconstruction of Iraq". Long Report Prepared for USAID, The Services Group, Inc., Arlington. Available online. In: <https://www.oecd.org/derec/unitedstates/36144028.pdf>. Consultation date: 15/06/2022.
- MINISTRY OF ECONOMY OF UKRAINE. 2020. Available online. In: <https://www.me.gov.ua/?lang=uk-UA>. Consultation date: 25/06/2021.
- MINISTRY OF ECONOMY OF UKRAINE. 2022. The government proposes to the Verkhovna Rada of Ukraine a draft law on rapid investments, which will allow the creation of processing enterprises as quickly as possible. Available online. In: <https://www.me.gov.ua/News/Detail?lang=uk-UA&id=afd426f0-d31b-4dob-9bf6-d84854e314c4&title>. Consultation date: 28/07/2022.
- PRYSHCHEPA, Yaroslav. 2022. They are planning to build new ones: information about destroyed houses will be collected in the Kyiv region. Available online. In: <https://suspilne.media/242079-planuut-zbuduvati-novi-na-kiivsini-zbiratimut-informaciu-pro-zrujnovanibudinki/>. Consultation date: 29/07/2022.

- TEREMETSKYI, Vladyslav; VASYLIEV, Stanislav. 2022. "Maritime status: grounds for implementation in Ukraine" In: ScienceRise: Juridical Science. Vol. 20, No. 2, pp. 4-7.
- THE CABINET OF MINISTERS OF UKRAINE. 2022. Draft Law on innovation parks. No 7658. August 11. Available online. In: <https://itd.rada.gov.ua/billInfo/Bills/Card/40226>. Consultation date: 29/07/2022.
- TZIFAKIS, Nikolaos; TSARDANIDIS, Charalambos, T. 2006. "Economic Reconstruction of Bosnia and Herzegovina: The Lost Decade" In: Ethnopolitics. Vol. 5, No. 1, pp. 67-84. Consultation date: 15/08/2022.
- UKRINFORM. 2022. "Irpen's losses from the war with Russia amount to \$922 million". July 14. Available online. In: <https://www.ukrinform.ua/rubric-regions/3529209-zbitki-irpena-vid-vijni-z-rosieu-skladaut-922-miljoni-kse.html>. Consultation date: 22/07/2022.
- USTYMENKO, Volodymyr; ZELDINA, Olena; GOSTIEVA, Olena; GRYSKO, Viktor. 2021. "Territories of priority development as a tool for solving socio-economic problems of Donetsk and Luhansk regions". Kyiv: National Academy of Sciences of Ukraine, State Organization "V. Mamutov Institute of Economic and Legal Research of the National Academy of Sciences of Ukraine".
- VERKHOVNA RADA OF UKRAINE. 2003. The Commercial Code of Ukraine. No 436-IV. Available online. In: <https://zakon.rada.gov.ua/laws/show/436-15#Text>. Consultation date: 18/07/2022.
- VERKHOVNA RADA OF UKRAINE. 2022. The Law of Ukraine on the basics of state regional policy. No 156-VIII. Available online. In: <https://zakon.rada.gov.ua/laws/show/156-19#Text>. Consultation date: 16/07/2022.
- VGORODE. 2022. "It became known what damages Russian troops inflicted on Buchi". May 16. Available online. In: <https://kiev.vgorode.ua/ukr/news/sobytyia/a1206461-stalo-vidomo-jakikh-zbitkiv-zavdala-rosijska-armija-u-buchi>. Consultation date: 22/05/2022.



UNIVERSIDAD
DEL ZULIA

CUESTIONES POLÍTICAS

Vol.40 N° 75

*Esta revista fue editada en formato digital y publicada en diciembre de 2022, por el **Fondo Editorial Serbiluz**, Universidad del Zulia. Maracaibo-Venezuela*

www.luz.edu.ve
www.serbi.luz.edu.ve
www.produccioncientificaluz.org