

Список використаних джерел:

1. Три місяці війни: про що мовчить українська природа. Міністерство захисту довкілля та природних ресурсів України URL: <https://www.facebook.com/EnvironmentalofUkraine/photo?fbid=348755107360273&set=a.264734172429034> (дата звернення 25 травня 2022 року).
2. Антонюк У.В. Гарантії екологічних прав: проблеми наукової та нормативно-правової диференціації. *Прикарпатський юридичний вісник*. 2014. Випуск 3 (6). С. 101–111.
3. Про внесення змін до деяких законодавчих актів України щодо діяльності у сфері довкілля та щодо цивільного захисту на період дії воєнного стану: проект Закону України від 13 березня 2022 року № 7144 URL: <https://ips.ligazakon.net/document/JI07091A?an=3>. (дата звернення 25 травня 2022 року).
4. Про припинення заходів державного нагляду (контролю) і державного ринкового нагляду в умовах воєнного стану: постанова Кабінету Міністрів України від 13 березня 2022 року № 303 URL: <https://www.kmu.gov.ua/npas/pro-pripinennya-zahodiv-derzhavnogo-naglyadu-kontrolyu-i-derzhavnogo-rinkovogo-naglyadu-v-umovah-voeyennogo-stanu-303>. (дата звернення 25 травня 2022 року).
5. Державний контроль за станом довкілля під час війни URL: <http://epl.org.ua/announces/derzhavnyj-kontrol-za-stanom-dovkillya-pid-chas-vijny/>. (дата звернення 25 травня 2022 року).

Ключові слова: довкілля, охорона довкілля, екологічні права, екологічне управління, гарантії прав, державний екологічний контроль.

Key words: environment, environmental protection, ecological rights, ecological management, guarantees of rights, state ecological control.

ZAVERIUKHA MARYNA

*National University “Odesa Law Academy”,
Assistant Professor of the Department of Agrarian,
Land and Environmental Law, PhD*

ON LEGAL REGULATION OF FOREST OWNERSHIP IN UKRAINE

Among the natural resources of the state, forests have a special place. Forest is an integral part of the environment and is the most powerful plant community in terms of diversity of structure and level of impact on the nature. According to Art. 7 of the Forest Code of Ukraine, forests located within the territory of Ukraine are objects of property of the Ukrainian people. Forests can be in state, municipal and private ownership [1]. Today, because of the economic, environmental and social importance of forests, the issues of forest management in wartime are quite acute and require detailed attention. Thus, 73 % belong to the sphere of management of the State Agency of Forest Resources of Ukraine, other forests fall under the management of

territorial communities, citizens and legal entities. That is why there is a question about the effectiveness of such management and the state of forests that are in municipal and private ownership.

State ownership of forests and forest lands presents in almost all developed countries, although its share among other forms of ownership varies from country to country (for example, 80 % of Norway's forests are private, Canada has almost 95 % of state forests).

The experience of forestry in Europe shows that in most European countries private forests have dominate position, but state forests also have successful functioning with them. In general, 85 % of the world's forests are state-owned. This indicates that state ownership of forests is appropriate and necessary. It should be borne in mind that state forests are dominating where the climatic conditions for their cultivation are difficult, or when they have important social, environmental and social functions, or where conditions are unfavorable for profitable forestry. Historically, low-profitable forest lands gradually came under the care of the state, and some did not. This is well illustrated by the example of Canada, Sweden and some other countries [2, p. 65]. It should be noted that today the legal regime of municipal owned forests and forest lands are almost indistinguishable from the state-owned legal regime, especially in terms of their general use.

According to V. Nosik, although the law enshrines the right of municipal property, its concept remains unproven methodologically, economically or legally, so the definition of the legal status of territorial communities as subjects of land ownership by demarcating land between the state and communities does not and cannot have prospects given the negative consequences of such a distinction for society. Legislative consolidation of the legal status of the subjects of land ownership in accordance with the imperatively established forms of property rights must be regulated by the Basic Law of the state [3, p. 186]. According to the act of the Cabinet of Ministers of Ukraine of December 29, 2021 № 1777-r "On approval of the State Forest Management Strategy of Ukraine until 2035" some of the main problems of forest management in Ukraine are: lack of municipal forest management mechanisms and lack of economic mechanisms to encourage conservation technologies or their elements, protection, reproduction of forests, in particular on privately owned lands.

In accordance with Part III of this Order, the State Agency of Forest Resources of Ukraine coordinates and monitors the implementation of forestry measures in state-owned forests and ensures coordination of forestry activities of permanent forest users and forest owners of all forms of ownership in accordance with law. Also, it provides legal, educational, consulting support to communal forest users [4]. In addition, it is assumed that municipal ownership of forests, the area and condition of stands of which are insufficient to ensure effective forestry, should be transferred, with the consent of the relevant local government to state ownership.

Regarding the private ownership of forests, the transfer of forests to private ownership from state and municipal is prohibited, and new forests

can appear only after granting forest status to existing self-seeding forests and through afforestation.

In our opinion, this plan on forest management will have a positive impact, as forest management on communal and private lands is not always effective, so the transfer of forests from communal to state ownership, those forest lands that are in poor condition, will help establish the stability of the forest industry.

References:

1. Forest Code of Ukraine of January 21, 1994, edited on February 8, 2006. № 3852-XII. *List of the Verkhovna Rada of Ukraine*. 2006. № 21. Art.170.
2. Sinyakevich I. M. National policy in forestry in the context of global environmental threats. *Economy of Ukraine: Political and Economic Journal*. 2012. № 1. Pp. 63–68.
3. Nosik V. V. Right of ownership of the land of the Ukrainian people: monography. K., 2006. 544 p.
4. On approval of the State Forest Management Strategy of Ukraine until 2035: Act of the Cabinet of Ministers of Ukraine of December 29, 2021 № 1777-r. *Official Gazette of Ukraine*. 2022. № 4. Art. 256

Ключові слова: ліс, лісова промисловість, лісове законодавство, воєнний стан, відтворення лісу.

Key words: forest, forest industry, forest legislation, martial law, forest reproduction.

KARAKHANIAN KARYNA

*National University “Odesa Law Academy”,
Assistant Professor of the Department of Agrarian,
Land and Environmental Law, PhD*

WORLD TENDENCIES OF HYDROGEN ENERGY DEVELOPMENT

Climate change, global warming, ozone depletion, environmental crisis... All of this without a doubt is not a complete list of challenges facing humanity that need to be solved as soon as possible to prevent global catastrophes. Climate security is a rather complex category, which depends on many factors, in particular, on achieving climate neutrality. Most of the world's leading countries have announced their intentions in this direction, and such leaders as the United States, the European Union, China, Japan, and South Korea have been the most successful in turning the slogan into reality. The economic activity of these countries is already characterized by the introduction of new methods and technologies, re-equipment and modernization of production, reduction of negative emissions into the atmosphere in order to prevent its pollution and the inevitable consequences.