

EUROPEAN INTEGRATION GUIDELINES FOR STATE AND LEGAL REGULATION OF SUSTAINABLE DEVELOPMENT OF RURAL AREAS WITH THE HELP OF TOURISM

ЄВРОІНТЕГРАЦІЙНІ ОРІЄНТИРИ ДЕРЖАВНО-ПРАВОВОГО РЕГУЛЮВАННЯ СТАЛОГО РОЗВИТКУ СІЛЬСЬКИХ ТЕРИТОРІЙ ЗА ДОПОМОГОЮ ТУРИЗМУ

Petrova N.O., PhD in the specialty 081 "Law", Associate Professor,
Associate Professor at the International Relations Department
Sumy National Agrarian University

The article is devoted to the analysis of directions for improving the state and legal regulation of sustainable development of rural areas with the help of tourism. The value of rural green tourism for the sustainable development of rural areas is analyzed, taking into account the European integration vector of Ukraine's development. An analysis of domestic legal acts, program documents in the sphere of sustainable development of rural areas and rural green tourism was carried out during the research. The organizational and legal orientations of activities in the sphere of rural tourism in the European Union are analyzed. The advantages and weaknesses of tourism in rural areas are revealed. Taking into account the threats and weaknesses of tourism in rural areas, preventing them, focusing on activities in the sphere of rural green tourism on the basis of sustainable development is decisive in the formation of new European integration domestic legislation, as well as the improvement of the existing one.

It was concluded that the latest regulatory and legal acts, strategic documents adopted in the European Union for the development of rural areas indicate commitment to the ideas and concepts of sustainable development within the framework of the Common Agricultural Policy (CAP). Achieving the global goals of sustainable development should become the main reference point in the formation of the national legal framework in the sphere of the development of rural areas.

Achieving the global goals of sustainable development should become the main reference point in the formation of the national legal framework in the sphere of rural areas development.

It is emphasized that one of the promising directions of ensuring the implementation of the sustainable development strategy of rural areas is the state and legal regulation of rural green tourism.

Attention is drawn to the fact in the article that the state and local (municipal) protectionist policy of rural areas sustainable development should be aimed at purposeful, transparent provision of organizational, legal, and financial support for persons engaged in activities in the sphere of rural green tourism within the framework of the agricultural advisory system, in particular, foreseeing opportunities receiving such assistance through the State agrarian register.

Key words: state and legal regulation, sustainable development, sustainable development of rural areas, sustainable development goals, tourism, rural green tourism, European integration, state support.

Стаття присвячена аналізу напрямків удосконалення державно-правового регулювання сталого розвитку сільських територій за допомогою туризму. Проаналізовано значення сільського зеленого туризму для сталого розвитку сільських територій, враховуючи євроінтеграційний вектор розвитку України. Під час дослідження проведено аналіз вітчизняних нормативно-правових актів, програмних документів у сфері сталого розвитку сільських територій та сільського зеленого туризму. Проаналізовано організаційно-правові орієнтири діяльності у сфері сільського туризму в Європейському Союзі. Виявлено переваги та слабкі сторони туризму в сільській місцевості. Урахування загроз та слабких сторін туризму в сільській місцевості, запобігання їм, фокусування на діяльності у сфері сільського зеленого туризму на засадах сталого розвитку є визначальним при формуванні нового євроінтеграційного вітчизняного законодавства, а також удосконалення існуючого.

Дійшли висновку, що останні нормативно-правові акти, стратегічні документи, що прийняті в Європейському Союзі для розвитку сільських територій вказують на відданість ідеям і концепціям саме сталого розвитку в межах Спільної сільськогосподарської політики (ССП). Досягнення глобальних цілей сталого розвитку повинно стати головним орієнтиром при формуванні вітчизняної нормативно-правової бази у сфері розвитку сільських територій.

Підкреслено, що одним із перспективних напрямків забезпечення реалізації стратегії сталого розвитку сільських територій є державно-правове регулювання сільського зеленого туризму.

Звернуто увагу, що державна та місцева протекціоністська політика сталого розвитку сільських територій повинна бути направлена на цілеспрямоване, прозоре надання організаційної, правової, фінансової підтримки для осіб, що здійснюють діяльність у сфері сільського зеленого туризму в рамках системи сільськогосподарського дорадництва, зокрема, передбачивши можливості отримання такої допомоги через Державний аграрний реєстр.

Ключові слова: державно-правове регулювання, сталий розвиток, сталий розвиток сільських територій, цілі сталого розвитку, туризм, сільських зелений туризм, євроінтеграція, державна підтримка.

Problem statement. The European integration of Ukraine continues even in the difficult time of martial law, during which Ukraine was recognized as a candidate for membership of the European Union. Thus, compliance with the terms of international treaties and agreements, in particular, which is the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part (hereinafter – the Association Agreement), is particularly relevant. Chapter 17 of the Association Agreement is devoted to agriculture and development of rural areas, which emphasizes special attention, including sustainable development of rural areas. The cooperation between the states of the European Union and Ukraine in accordance with this Agreement consists, among other things, in cooperation with the aim of promoting the development of agriculture and rural areas, in particular through the gradual approximation of policies and legislation [1].

Analysis of recent research. The development of rural areas has repeatedly been the subject of focus in the research of scholars of both legal, economic, and management directions. The following scientists devoted their works to various studies of the rural areas development: Boyko E. O., Boyko O. S., Bakai Y. Y., Grybova D. V., Grigorieva H. A., Hayevets M. V., Hafurova O. V., Yermolenko V. M., Kartashova O. G., Kudla N. E., Kurylo V. I., Kulchyi I. M., Kurman. T. V., Papp V. V., Pityulych M. M., Platonova E. O., Romaniuk I. A., Stativka A. M., Urkevich V. Y., Zbarskyi V. K., and other. At the same time, taking into account the European integration vector of the development of Ukraine, attention should be paid to the improvement of the state and legal regulation of rural areas sustainable development with the help of tourism, to analyze the importance of rural green tourism for the sustainable development of rural areas, which is the **purpose** of the study.

The main material. The role of rural green tourism in the development of rural areas is certainly significant. After all, «rural green tourism expands the sphere of employment of the rural population, has a positive effect on the economy and ecology of the regions of Ukraine, contributes to the revival, preservation and development of local folk customs, crafts, monuments, historical and cultural heritage» [2]. Dyshlyuk N. I. also proves the need for the development of rural green tourism as a component of the economy of the regions of Ukraine and an alternative to the development of rural areas [3]. Rural green tourism «can bring numerous benefits to local communities, in particular diversification of farm income, job creation, and retention of services in rural areas, thus preventing depopulation» [4]. Stativka A. M., Kulchyi I. M. also define rural tourism as one of the main directions of diversification of rural areas [5, c. 283]. So, «European Parliament has been supportive of rural tourism and has highlighted that it contributes to the economic, social and environmental sustainability of rural areas, in particular making a positive contribution to safeguarding small-scale and diverse farming, tackling social inequalities and creating employment opportunities for women» [4].

All business entities, as well as individuals that is engaged in providing private peasant household, can engage in rural green tourism as a complementary type of activity, the possibility of which is carried out in accordance with Article 1 of the Law of Ukraine «On private peasant household» [6]. Thus, rural green tourism can be a form of diversification of activities, will solve the problem of employment of the rural population, and will give an opportunity to provide additional financial income for households in rural areas. For the sustainable development of rural areas, it is important to engage in such activities, including in the sphere of tourism, that would preserve and develop not only the cultural heritage, the hospitable rural flavour, but also the natural features of the countryside, without having a negative impact on the surrounding natural environment.

Sustainable development of rural areas is possible under the conditions of implementation of the adopted normative acts, balanced growth of the economy, expansion of non-agricultural employment in rural areas, the basis of which is green tourism, improvement of access conditions of economic subjects of entrepreneurial activity in the countryside to resource markets, where the main goal is to create conditions for the growth of the well-being of the population and the formation of a favourable social and economic environment in the village [7].

At the same time, it should be noted about certain threats and negative consequences and disadvantages of rural tourism for the sustainable development of rural areas, which are indicated by Elena Sima, among which are the following: «destruction of soil, flora, fauna and the change of the ecological equilibrium by tracing paths and roads for tourist circulation in the sensitive areas in terms of biodiversity; «Urbanization» of rural areas and development of «mass tourism» in many natural reserves or natural parks near the tourist villages, etc [8, c. 138–139]. «Negative consequences of rural tourism can include physical damage to ecosystems caused by too many visitors, pressure on local infrastructure, and higher prices for services and housing for local residents. Rural tourism can face challenges such as inadequate transport, water and sewage capacity, as well as depopulation and a resulting lack of human resources necessary for tourism services. Specific challenges are also expected regarding the green and digital transitions» [4].

Thus, tourism in rural areas should be carried out taking into account the threats and weaknesses of tourism in rural areas on the basis of sustainable activities. This statement is confirmed by the provisions of chapter 16 of the Association Agreement, cooperation within the scope of this agreement is aimed, among other things, at a strategic partnership between state, private and public interests in order to ensure the sus-

tainable development of tourism. Cooperation in the sphere of tourism should be carried out at the bilateral, regional and European levels and be based on the following principles: (a) respect for the integrity and interests of local communities, particularly in rural areas; (b) the importance of cultural heritage; (c) positive interaction between tourism and environmental preservation [1].

It should be noted that, according to the art. 4 of the Law of Ukraine «On tourism», depending on the category of persons who make tourist trips, their goals, objects used or visited, ecological (green) and rural tourism [9] are separately distinguished, but in the Law of Ukraine «On private peasant household» the sphere of rural green tourism is distinguished, in which private peasant households can carry out economic activities. That is, there is a disagreement between the above-mentioned normative legal acts and «makes it impossible to bring the essence of special concepts and definitions to unity» [10, c. 137]. The adoption of the Law of Ukraine «On rural green tourism» will provide an opportunity to reveal the essence of rural green tourism, its meaning, specifics of activity, and include the necessary provisions based on the sustainable development goals of Ukraine until 2030.

In the European Union, they attach great importance to the development of rural areas and believe that «rural development is the «second pillar» of the common agricultural policy (CAP), reinforcing the «first pillar» of income supports and market measures by strengthening the social, environmental and economic sustainability of rural areas. The CAP contributes to the sustainable development of rural areas through three long-term objectives: fostering the competitiveness of agriculture and forestry; ensuring the sustainable management of natural resources and climate action; achieving a balanced territorial development of rural economies and communities including the creation and maintenance of employment. Rural development actions will also make a strong contribution to the Commission's key priorities and strategies, such as the European Green Deal and the long-term vision for rural areas» [11]. Therefore, rural tourism is supported by the European Union organizationally and financially which is based on the principles of sustainable development of rural tourism, because rural tourism is important for the European economy and employment. The main documents laying out the current vision of the European Union policy on tourism are: European Agenda for Tourism 2030 is adopted by the Council of the European Union from December 1, 2022 [12]; Transition pathway for tourism is adopted by the European Commission from February 4, 2022 [13].

According to the European Agenda for Tourism 2030, the Council of the European Union underlines its determination to promote sustainable tourism, taking into consideration all the key dimensions of economic, environmental, cultural and social sustainability, in response to, among other factors, climate change and loss of biodiversity, in accordance with the United Nations 2030 Agenda for Sustainable Development and its commitment to support tourism that creates sustainable jobs and promotes local culture, products and services [12]. This emphasizes once again the presence of fixed guidelines of the European Union in the tourism sphere of activity following the goals of sustainable development, which in turn will logically become the basis of sustainable development of rural areas.

In Ukraine, one of the priorities at the state and regional levels is the sphere of rural green tourism, which is part of the sustainable development of rural areas, which is fixed in the following program documents:

– The Concept of development of rural areas, that is approved by the order of the Cabinet of Ministers of Ukraine (from September 23, 2015, № 995). In this Concept, one of the directions of its implementation is the diversification and development of the rural economy, through, in particular, the development of tourist and recreational activities in rural areas;

Strategy for the development of tourism and resorts for the period until 2026, which was approved by the order of the Cabinet of Ministers of Ukraine (№ 168 from March 16, 2017), which specifies the priority types of tourism – ecological (green), rural tourism;

– Decree of the Cabinet of Ministers of Ukraine (№ 489 from July 19, 2017), which approved the plan of measures for the implementation of the Concept for the development of rural areas, according to which the legislative regulation of the issue of the development of tourism and recreational activities in rural areas is planned, the indicator for evaluating the effectiveness of the planned implementation is the involvement rural households to provide services in the sphere of rural tourism;

– State strategy for regional development for 2021–2027, approved by the resolution of the Cabinet of Ministers of Ukraine (from August 5, 2020, №. 695; (Appendix 2 to the Strategy)). This document indicates the need to promote the development of tourist infrastructure in rural areas, which is a task under the direction «Development of rural areas»;

– Decree of the Cabinet of Ministers of Ukraine (from May 12, 2021, № 497-r), which approved the plan of measures for 2021–2023 for the implementation of the State strategy for regional development for 2021–2027, including improving the legal conditions for the development of rural tourism; preparation of methodological recommendations for the development of rural tourism for legal entities and individuals who create a tourist product and provide rural tourism services, promoting their implementation by organizing training for representatives of such legal entities and individuals.

Undoubtedly, an important strategic direction of the state and legal regulation of the development of rural areas will be the improvement of the legal regulation of the tourism sphere in rural areas, in particular, rural green tourism, rural tourism, ecological (green) tourism on the basis of the sustainable development goals for the period up to 2030 [14]. In addition, we agree with the proposal of Kurman T.V. regarding the need to develop a single strategic program document – the Concept of sustainable development of the agricultural sector for the period up to 2030 [15], in which it is necessary to predict organizational and legal guidelines for the state regulation of sustainable development of rural areas, the basis of which is the direction to the implementation of the sustainable development goals. An organizational and legal measure of the state legal regulation of rural green tourism should be the improvement of legal regulation of state and local protectionism. It is important to develop this area in the direction of increasing financial support for advisory activities and their transparent, targeted provision for the organization and conduct of activities in the sphere of rural green tourism by private peasant households and other agricultural producers, in

accordance with the Law of Ukraine «On agricultural advisory activities». An increase in the number of agricultural advisory services can become a positive factor in increasing the possibility of obtaining consulting services for persons engaged in activities in the sphere of rural green tourism. According to the Register of agricultural advisory services, 44 advisory services are currently registered, 6 of which have already expired, and two of which will expire this year. The leader of registered agricultural advisory services is Kyiv region – 4 functioning advisory services [16]. Of course, an increasing the number of registered agricultural advisory services will contribute to the intensity of providing advice to agricultural producers, including in the sphere of rural green tourism.

The organizational and legal guidelines for providing such support should also be provided for in the Program for sustainable development of the agrarian sector until 2030, the importance of which has been rightly emphasized in the scientific community. The state automated information system, the State agrarian register, can become an innovative tool for providing state support for advisory services in agriculture and activities in the sphere of rural green tourism.

Conclusions. The latest regulatory and legal acts, strategic documents that is adopted in the European Union for the development of rural areas indicate commitment to the ideas and concepts of sustainable development within the framework of the Common Agricultural Policy (CAP). The achievement of the global sustainable development goals should become the main guideline in the formation of the national regulatory framework for sustainable rural development. One of the perspective directions of ensuring the implementation of the sustainable development strategy of rural areas is the state legal regulation of rural green tourism. Taking into account the threats and weaknesses of tourism in rural areas, preventing them, focusing on activities in the sphere of rural green tourism on the basis of sustainable development is decisive in the formation of new European integration domestic legislation, as well as the improvement of the existing one.

The improvement of the legal regulation of the tourism sphere in rural areas, in particular, rural green tourism, rural tourism, ecological (green) tourism on the basis of the sustainable development goals for the period up to 2030 should be the European integration guidelines, an important strategic direction of the state and legal regulation of the development of rural areas. The state and local protectionist policy of sustainable rural development should be aimed at targeted, transparent provision of organizational, legal, and financial support for persons engaged in rural green tourism within the framework of the agricultural advisory system, in particular, by providing for the possibility of obtaining such assistance through the State agrarian register.

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