

## Comparative Analysis of the Justice System in Ukraine and EU Countries Regarding the Land Disputes Resolution

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### Abstract

Land disputes represent one of the most complex categories of legal cases due to the extensive body of land legislation and the unique legal character of land itself. Land, as an object of the material world, embodies a dual nature, both a natural resource and an asset in civil transactions, which influences its treatment in legal and property relations. Given these complexities and their universal relevance across jurisdictions, resolving land disputes is of both practical and scholarly significance. Given the universality of land-related conflicts across nations and regions, the topic remains highly relevant. This article explores the legal frameworks and practices governing the resolution of land disputes in Ukraine and selected EU countries, with a particular emphasis on non-judicial methods of dispute prevention and resolution. In this context, it examines the role of mediation and other alternative dispute resolution (ADR) mechanisms in achieving amicable settlements that balance the interests of all parties. By analyzing these approaches within both legal and societal paradigms, the article aims to highlight potential areas for reform and mutual learning between Ukraine and its European counterparts.

### Keywords

Land disputes; ADR; Mediation; Courts; Land conflicts; Legal certainty

### Introduction

Land disputes are crucial on a global scale due to their significant impact on livelihoods, social stability, and environmental sustainability. These disagreements have the potential to turn violent, cause relocation, and impede development, particularly in areas with poor governance and few resources. Preventing

escalation and advancing sustainable land management require effective communication and dispute resolution procedures.

Over the past few decades, land has emerged as a significant cause of conflict. Land disputes have a detrimental effect on land development and promote social unrest. Multiple levels of disputes arise from opposing interests in land and resource use. Conflicting claims over land ownership, land use rights, land laws, and their combinations are designated as land disputes. It has been observed that land conflicts frequently arise over boundaries between nearby neighbors or relatives, or they may arise over inheritance, which typically occurs amongst family members (Dufwenberg *et al.*, 2016). If the property rights are not specified, land sales may potentially result in land conflicts. The absence of clear processes for land ownership, adjudication, and transfer exacerbates property disputes in many nations (Arivazhagan *et al.*, 2023). Arivazhagan *et al.* (2023) clarified that in comparison to other global types of conflict, a large number of land disputes stand out as being strongly connected with a lack of transparency, widespread corruption, and bribery. In many nations, the impoverished lack the finances to challenge their claims in court and the capacity to confront stronger forces when it comes to land conflicts. This is also highlighted in other publications (Ibrahim, Abubakari and Kepe, 2023). Thus, a clear, efficient, and cost-effective procedure for resolving land disputes is required.

Different approaches to land tenure, property rights, and dispute resolution are revealed by comparative studies of land disputes in various nations. These studies frequently look at how socioeconomic factors, legal systems, and customs combine to influence land-related disputes and how they are resolved.

The ambiguity around the function of formal and informal institutions in land administration is another major contributing reason to the rise in land disputes (Jumra, Rasyid and Suriyati, 2024). As a starting point, many land dispute lawsuits are presented before informal institutions. Many unofficial institutions, however, do not offer a prompt and equitable resolution to the issue. Informal institutions are ineffective and lack appropriate protocols. Cases are brought before formal institutions like the Court, the National Land Management Authority, and the Mediation Committee if the complainants have enough funds and the informal institutions were unable to settle the conflicts (Congost, Gelman and Santos, 2019). Before land conflicts make it to the official court system, they can be settled by local institutions. Women and other vulnerable groups typically face major obstacles when trying to access conflict resolution, such as a lack of legal knowledge, fear of physical harm, fear of mistreatment in the community, a lack of time, and a lack of advocacy (Nolon, Ferguson and Field, 2013).

Unregistered land is one example of a land dispute; in this case, the land may still be registered to a third party who still holds the rights to the land. In this case, it has been observed that lengthy land dispute resolution without a satisfactory conclusion may result in parties being harmed both financially and with regard to their overall security, as well as requiring the involvement of the court in finding a resolution, posing further challenges (Avedyan and Belyavtseva, 2023). Given numerous reasons why conflicts over land boundaries arise, making this issue very common, the possibility of taking legal action in court is generally avoided by the public due to the perception that doing

so would cause further complications, is time-consuming, and relatively costly time-consuming, and relatively costly. As a result, it has been observed that generally, communities tend to use non-litigation methods to settle their conflicts. From a legal perspective, land issues are difficult to resolve (Bashtannyk, Terkhanov and Kravtsov, 2024). Legal conflicts over land arise when one party (person or corporation) files a complaint with objections and claims for land rights based on ownership rights or land status in the hopes of receiving administrative settlements under applicable legislation.

To ensure secure property rights, effective land dispute resolution is essential, as land conflicts continue to pose significant challenges worldwide. Mechanisms for land dispute resolution procedures are diverse depending on the nation, culture, and legal frameworks. These systems include alternative dispute resolution, religious dispute resolution, customary dispute settlement, and the court or judicial system (Byrkovych, Humenchuk and Kobyzcha, 2023). However, depending on who is involved in the case, some issues and limitations in these methods make it difficult to successfully reduce land disputes by public expectations. Since the goal of a court settlement is to achieve justice and legal certainty, an out-of-court settlement is given priority in order to resolve conflicts amicably.

The EU does not have specific, overarching legislation on land disputes. Instead, land law and its enforcement primarily fall under the jurisdiction of member states. However, the EU does influence land governance through various mechanisms. Although the EU offers structures and principles to guarantee uniformity and protection of rights, land dispute law in the EU is essentially a subject of state jurisdiction (Denysiuk, Gaievska and Prokopenko, 2023). Ensuring fundamental rights, facilitating free financial flow, and resolving any challenges, such as double registration or uneven legal procedures, are the main responsibilities of EU jurisdiction mechanisms.

In the European context, land disputes are primarily resolved through a combination of national laws, regional mechanisms, and international human rights frameworks. National laws vary, but generally include judicial procedures, administrative processes, and alternative dispute resolution mechanisms like mediation. The European Court of Human Rights plays a role in protecting land ownership rights by assessing the lawfulness of interferences with the right to peaceful enjoyment of property.

In Ukraine, land disputes can be resolved both judicially and extrajudicially. Courts consider disputes regarding the ownership, use, and disposal of land plots, as well as disputes related to the demarcation of territories. Extrajudicial methods include negotiations, mediation, and arbitration, as well as appeals to local government bodies (Ferdman, Kravets and Sivak, 2025). Local government bodies resolve land disputes within settlements regarding: the boundaries of land plots owned and used by citizens; citizens' compliance with the rules of good neighborliness; and demarcation of district boundaries in cities (Gaman Yarovoi and Shestakovska, 2022). Land disputes regarding the ownership, use, and disposal of land plots owned by citizens and legal entities, as well as disputes regarding the demarcation of village territories, towns, cities, districts, and regions, are resolved exclusively by the court (Babu and Sudheer Patoju, 2021).

It is well known that the land market opening is the biggest change in Ukraine's recent history, and its effects are even more significant than the early 1990s privatization phase. Considering the issue's social relevance, this is hardly surprising (Gavkalova, Zilinska and Lukashev, 2022). Many predictions are currently in place regarding future land pricing, the amount of land availability, land concentration, market participation, and, lastly, the agricultural sector model that Ukraine will acquire as a result of the reform.

Additionally, there is an even greater challenge that remains in the context of Ukraine - the court's willingness to take on cases that will unavoidably arise after the land market opens (Gupta, Nagar and Srivastava, 2024). Such arguments are widespread, after all, even in nations where land relations have evolved over centuries and the law dictates the slightest details in this domain. However, land issues have grown in both quantity and complexity and are no longer easily resolved due to a severe shortage of land and more complicated land use requirements. Furthermore, overlapping land-related legislation and a lack of public legal knowledge are resulting in improper conduct toward their land, further creating challenges (Kussainov, Goncharuk and Pershko, 2023). The speed and fairness of the dispute resolution process are key factors in choosing a land dispute settlement method.

Economic, social, geographical, and ecological development are all adversely affected by land conflicts. This is particularly true in emerging nations, where many impoverished communities and individuals lack access to land, land market institutions are weak, and opportunities for financial gain through unlawful activity are common. Individuals, communities, and even entire nations can suffer greatly as a result of land wars (Mykolaichuk *et al.*, 2025). A lot of disputes that are thought to be between cultures are actually about territory and associated natural resources (Kasiyanchuk and Shtohryn, 2021; Khrushch, Fedyk and Karpiuk, 2022).

Although estimates of the number of land-related conflicts in any given nation are high, the real number is hardly known (Nekhai, Melnyk and Bilyk, 2024). Only records from cases addressed by courts have provided insight into the extent and specifics of land dispute issues. According to sociologists, conflict is a social fact involving at least two parties and arises from disparities in their interests or social positions (Imbusch, 1999). A land conflict, then, is a social fact involving at least two parties and arising from conflicting interests over property rights to land. These include the right to use the land, manage it, derive income from it, the right to keep others off the land, transfer it, and receive compensation for it (Ortina, Zayats and Karp, 2023). Therefore, a misuse, restriction, or dispute over property rights to land is considered a land conflict (Wehrmann, 2005). If the parties involved in a land conflict have very different social positions, the conflict may worsen and thus require specific mitigation. Therefore, the established customary process of land disputes is inherently country-specific, as each will have mechanisms established in accordance with its specific socio-economic circumstances. In light of the above knowledge, the objective of the present research is to trace the essence and features of land disputes in Ukraine and in the EU, in particular within the paradigm of land relations as such.

## Methods

The theoretical basis of the study was based on the concepts, provisions, and conclusions of social scientists in the field of law. The methodology of this study explored the theory of state and law, civil and arbitration procedures, administrative, as well as civil, land, and other branches of law (Pasichnyi, Bykova and Nekhai, 2024). Additionally, specific scientific methods used in jurisprudence, historical, system-structural, complex analysis methodology, comparative analysis, legal modeling, legal forecasting, and the formal-logical method of law interpretation were applied in the analysis.

The study's methodology draws on the tools of grounded theory, scoping review, and qualitative content analysis. The overall research logic is illustrated schematically in figure 1.

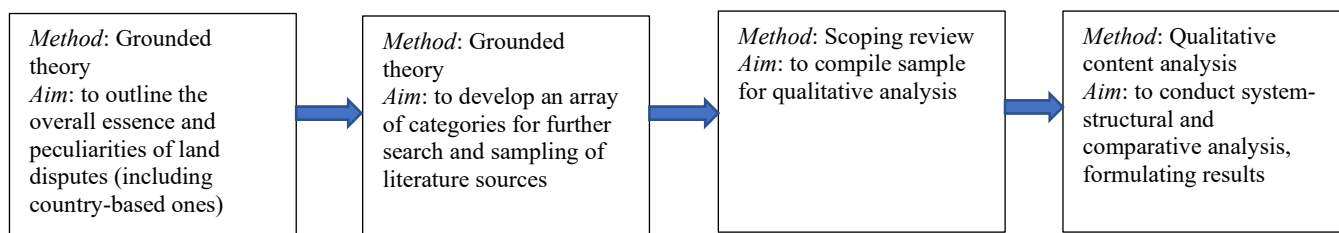


Figure 1: Research Framework: Illustrating the Logic and Structure of Inquiry

The search for literature sources to be included in the sample for analysis was carried out in ScienceDirect, Wiley, JSTOR, and MDPI libraries. Moreover, traditional Google search was applied to reveal the legislative base for regulating land relations and land disputes. The final sample included 43 sources. Criteria for inclusion implied the volume of the article (no less than 4 pages) and close relevance either to the land disputes category and specifics, or land disputes in Ukraine/EU. The research was conducted within an interpretivist paradigm, which enabled the identification of comparative patterns of land disputes in Ukraine and the EU, including a social perspective.

## Results and Discussion

### *Land disputes landscape from a theoretical and general perspective*

A legal land dispute is a dynamic, developing phenomenon. In this regard, it is necessary to distinguish several stages in its development: the nature of a conflict situation; awareness of the subject's interests grievance; specific actions aimed at defending their rights and interests; development, change or termination of legal relations related to the consideration of a dispute by a court, arbitration court of arbitration tribunal; the process of rendering a decision based on the analysis of the dispute, and considerations of the dispute's merits (Pavlovskiy, Blikhar and Karpa, 2024). Given the specifics of each land dispute, the stages of its development and their duration may vary, being limited to pre-trial resolution of the conflict, or, conversely, supplemented by new stages related to appealing and cancellation of judicial acts, referring the case for a new trial, review based on newly discovered circumstances etc. (Poliova, Polova and Stepanenko, 2024). All land disputes typically arise from disagreements between parties about their rights to the land. These conflicts often stem from differing views on which laws or norms should



apply to their rights and responsibilities, regardless of any later formal documentation of their relationships.

Land disputes that arise in practice are extremely diverse and may be classified according to several criteria: the grounds for their occurrence; the composition of the parties involved; the category of the land within the land fund; the status of the land (as a natural resource or real estate); the subject matter of the dispute; the entities responsible for resolution, and by dispute groups, which include purely land-related disputes, land and property disputes, property disputes arising from land relations; and complaints against actions of state or local authorities, as well as enterprise administrations, institutions and organizations (Burtsev, 2016).

Land evidence should be used to establish a chain of proof that reveals the true nature of the land conflict. The disclosure of factual information supported by legitimate land documentation is necessary for addressing unexpected land disputes, land-related correspondence, site visits, and other relevant matters (Pyatnychuk, Vengerskyi and Pershko, 2024). Few academics have examined the evidentiary system in land disputes as of yet. Verifying the accuracy of claims, facilitating the legal procedure, and reducing event risks in dispute settlement are all made possible by the evidence system. In order to resolve conflicts, research on the evidence process is essential (Wang, 2024). Some nations have laws that emphasize form over content when classifying evidence, using a more detailed and nuanced categorization system compared to that of the United States and Britain (Turcan, 2021).

The field of conflict management and its various analytical tools make it clear that psychological factors, such as existential fear and insecurity, and the fundamental human desires for love, care, and recognition, lie at the core of many conflicts (Serhieiev, Voronina and Zolotov, 2025). These psychological needs lead to material and emotional needs, such as the need for shelter, livelihood, self-esteem, or the pursuit of wealth and power as a means to feel secure. People's interests are shaped by these needs, which in turn influence their attitudes, opinions, and behavior (see Figure 2). When applied to land disputes, these challenges further complicate the matter at hand. Below are a variety of factors, including institutional elements, that can impact a land dispute scenario, and potential influences such as human aspirations and anxieties as variables to be considered.

Taking into consideration that land is a finite resource, its significance as an economic variable cannot be overstated. Economic progress and the emergence of a market economy are closely linked to land registration. Land also serves as the basis for loans and other forms of investment security (De Los Rios, 2022). Inheritable properties frequently remain in families for several generations. Owners develop a strong emotional bond with their property, where the separation of people from their land can be quite traumatic (Sydorchuk, Kharechko and Khomenko, 2024). People also relate to their possessions in different ways. This has an impact on mediation and must be considered when resolving disputes. Long-term relationships, at least as neighbors, are common among disputing parties. One of the main concerns in land conflict resolution is improving communication. To resolve land tenure disputes, some researchers attempt to determine whether mediation is an appropriate dispute settlement method (Congost, Gelman and Santos, 2019).

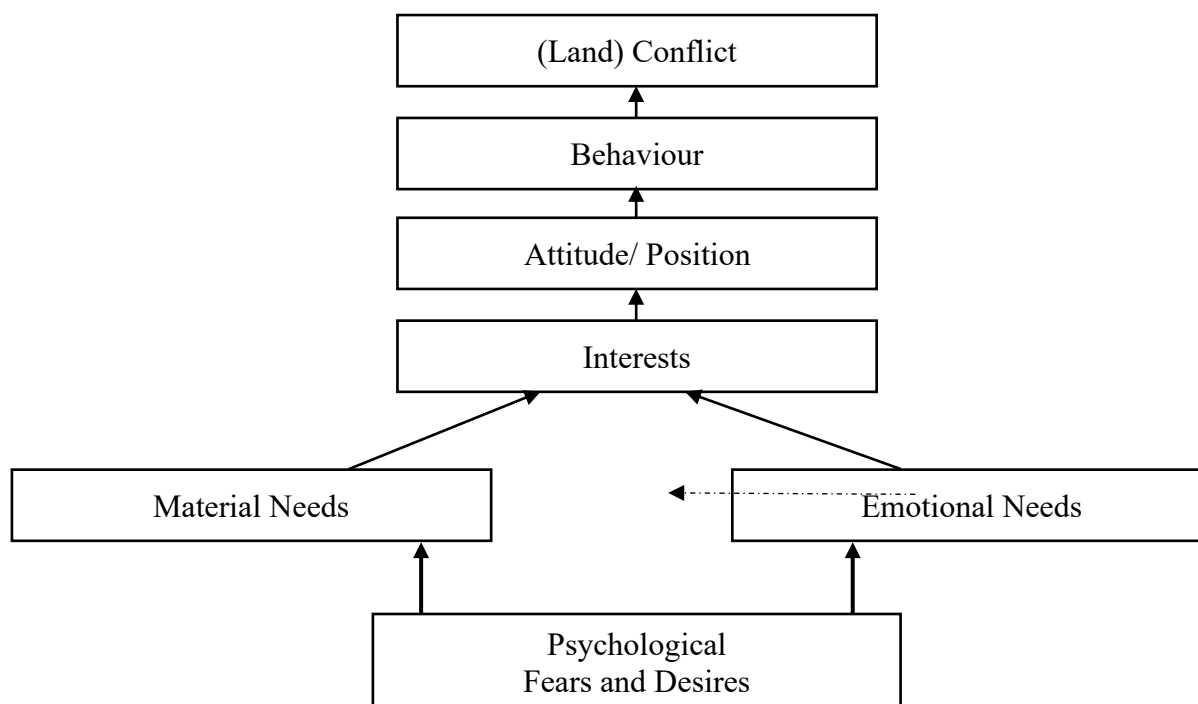


Figure 2: The roots of conflict within land disputes (Wehrmann, 2005)

### *The EU insights*

Property border conflicts are more common in Norway than in other Nordic nations. There is a strong correlation between the quality of the land record and the frequency of border disputes. For instance, in Denmark, the institution responsible for settling boundary disputes, the Chartered Surveyors (landinspektør), handled 269 instances involving such conflicts between 1990 and 1996. In comparison, 359 cases involving boundary disputes were considered by Norway's land consolidation courts in 1996 alone. Professional surveyors oversee the land register in Denmark. In contrast, this work was conducted by laypeople in Norway until 1978. Although the boundaries were drawn and a written description of the property was produced because of the land division (known as skylddeling), no map of the area was created. In Norway, this was particularly the case in small towns and rural areas. Municipalities in metropolitan areas, at least the larger towns, possessed superior quality cadastral maps and land registers, as well as a well-functioning surveying service (Perez-Quesada and Hendricks, 2021).

In general, redistributing land holdings is frequently an emotional process. Conflict often arises from social and personal dissatisfactions that come with the land consolidation process, even in the case of a meticulous planning process (Voronina, Lopushynskiy and Grechanyk, 2024). When boundary conflicts are resolved in court, the results are often similar. The various and intricate emotional links that the parties have to the property in question must be taken into account. The complexity of the relationships involved in mediation is seen in Table 1. These connections to land are broken down into four categories: (1) social connections to land; (2) economic (as in industry) connections to land; (3) investment connections to land; and (4) land-use (hunting, wildlife, leisure).

Whether it is individual or communal land ownership, these factors can be interchangeable.

Table 1: Different relationships to land (Kamboureli and Lai, 2023)

	<i>Individual ownership</i>		<i>Communal ownership</i>	
<i>Individual ownership</i>	Social	Enterprise	Social	Enterprise
	Consumption	Investment	Consumption	Investment
<i>Communal ownership</i>	Social	Enterprise	Social	Enterprise
	Consumption	Investment	Consumption	Investment

The practice of mediation is frequently successful. Backlogs are decreased through mediation, and mediated verdicts are frequently regarded as more satisfactory than court orders. *Additionally, the resolution of the matter lies primarily in the hands of the parties involved.* The judges'<sup>1</sup> Justifications for mediating were consistent and logical in their interviews. They mediated because they believed that a solution based on consensus would frequently benefit the parties more than a court ruling. They specifically concentrated on the parties' future interactions (Djaja, 2019).

Individuals are more likely to adhere to decisions in which they have actively participated. Studies indicate that parties benefit more from interest-based mediation than from rights-based adjudication (Ibrahim, Abubakari and Kepe, 2023). Amiable development in both urban and rural areas greatly depends on active participation.

Converting a distributive land conflict into an integrative<sup>2</sup> process is one of the most difficult scenarios for a mediator (Derevyanko *et al.*, 2023). Among other things, experience, innovation, and a methodical approach are necessary for success. This process necessitates an initial session in which the mediator asks about the interests of each side before analyzing the circumstances (Yermachenko, Bondarenko and Kalashnyk, 2023). This can be demonstrated using an example. A disagreement between two farmers, A and B, centers on road access. B disputes A's claim to the road access, and they both take the matter to court. The parties' contradictory assertions are the court's main concern. The judge/mediator discovers throughout the case analysis that B was concerned about the state of the road and upcoming repairs. A was prepared to contribute to the repairs and perhaps pay a maintenance charge. In reality, the parties required a set of guidelines for road upkeep (Zayats, Serohina and Mazalov, 2024). This illustration demonstrates how a disagreement might move from a rights-based adjudication to an interest-based mediation.

<sup>1</sup> A judge can act as a mediator in land disputes, and in some jurisdictions, this is even encouraged or mandated. Judges are often seen as having the necessary legal knowledge and experience to understand the complexities of land law, which can be helpful in facilitating productive mediation (Husnaini and Chandra, 2025). Mediation and the Function of Arbitration Institutions for the Settlement of Land Ownership Disputes as a Concept for Upholding the Principle of Justice as the Ultimum Remedium. *Proceedings of the 2nd International Conference Changing of Business Law (ICOCLB 2024), Advances in Social Science, Education and Humanities Research 902.* [https://doi.org/10.2991/978-2-38476-356-6\\_24](https://doi.org/10.2991/978-2-38476-356-6_24).

<sup>2</sup> Integrative conflict resolution is a win-win strategy in which both sides try to reach a mutually advantageous settlement. A win-lose strategy, distributive conflict occurs when disputing parties believe it is their responsibility to win and ensure that the opposing individual or group loses.



### *Ukrainian insights*

In Ukraine, the issue of direct legislative regulation of land dispute mediation remains inconclusive. There are several drafts of the Law of Ukraine “On Mediation” on the website of the Verkhovna Rada (Ukraine’s supreme legislative body). One of the drafts, No. 3665, dated December 17, 2015, was adopted in the first reading. In 2019, the Verkhovna Rada of Ukraine rejected it, and thus the draft law was not adopted. On December 28, 2019, the government draft law “On Mediation” No. 27062 was registered in parliament. However, this draft law was withdrawn on March 4, 2020.

According to these draft laws, mediation can be used in any conflicts (disputes), including land-related ones. The legislation may provide for the specifics of the use of mediation in certain categories of conflicts (disputes). Mediation can take place before or during court, arbitration, or international commercial arbitration proceedings, as well as during the enforcement of their decisions (Zilinska, Avedyan and Kyrychenko, 2022). None of the proposed draft laws includes land disputes in the list of categories that can be resolved through mediation. However, according to the current land legislation, particularly the Land Code of Ukraine, there are cases when this method of resolving land disputes is possible, such as in the case of resolving disputes regarding land easements. The obligation to appeal to the court if the agreement is not fulfilled after mediation seems controversial (Busuyok, 2020). This contradicts the very nature of mediation, which should be carried out based on voluntary participation in the mediation procedure, and the parties themselves should decide on the options for resolving the dispute. In general, in Ukraine, the resolution of land disputes through mediation remains a theoretical construct.

In the majority of nations, plaintiffs can pursue their interests through a variety of official and informal means, including:

- Judiciary
- Administration
- Special Land Courts
- Political institutions
- Party system
- Customary institutions
- Religious institutions
- Civil society
- Private sector mediators

Many of these channels can be addressed or accessed at multiple levels, but some are restricted to only a few options. Some routes are more formal and controlled, while others are more informal and unregulated. Whether a land conflict settlement body is regarded as official or informal varies greatly throughout countries, especially at the local level. Table 2 lists potential land conflict resolution organizations at different levels and through different channels.

Table 2: Potential land conflict resolution bodies (Wehrmann, 2008)

<i>Channel</i>	<i>Level of Village / Community / Neighborhood</i>	<i>District / Municipal Level</i>	<i>Provincial Level</i>	<i>National Level</i>
<i>Judiciary</i>		• District/ Municipal Court	• Provincial Court	• High Court
<i>Special Courts</i>		• District Land Tribunal	• Provincial Land Tribunal	• National Land Tribunal • Stool Lands Boundary Commission • Land Title Adjudication Committee
<i>Administration</i>		• District Land Authority • Cadastral Commission	• Provincial Land Authority • Cadastral Commission	• Land Ministry • Cadastral Commission
<i>Political institutions</i>	• Village Chief • Village Council	• Mayor • District Governor • District Council	• Provincial Governor • Provincial Council	President • Prime Minister • Cabinet of Ministers
<i>Party system</i>	• Village / Area /Neighborhood Party Committee	• District Party Committee	• Provincial Party Committee	• Central Party Committee
<i>Customary institutions</i>	• Customary Chief • Land Chief • Council of Elders			
<i>Religious institutions</i>	• Priest • Buddhist monk • Mosque council or leader (Imam) • Rabbi		• Provincial Bishop	
<i>Civil society and the private sector</i>	• Local NGO • CBO, grassroots, • Professional mediators • Elders • Neighbors • Head of local council • Teacher	• National NGO • CSO • Professional mediators	• National NGO • CSO • Professional mediators	• National and international NGO • CSO • Professional mediators

There are some intriguing examples from the European context. In the instance of *Iatridis v. Greece*, for example, the petitioner was forced to leave an outdoor movie theater even though the eviction order had been overturned several months earlier. The Court determined that there had been an illegal interference with the applicant's property rights when the authorities denied his plea to reclaim the land, and that this had violated Article 1 of Protocol No. 1. The land owned by the applicant company was taken to construct a road in the Belvedere Alberghiera v. Italy case. The expropriation ruling was later overturned by the relevant court, which ruled that it was illegal. However, the courts decided that the transfer of property to the authorities was irrevocable; hence, they rejected the applicant company's plea to get the land returned. The Court concluded that Article 1 of Protocol No. 1 had been violated in the current case by refusing to return the land (Grgic *et al.*, 2007).

A State body later sought to exercise its pre-emption claim on the land that the applicant had purchased in the Hentrich v. France case. The State argued that stopping tax evasion was in the public interest in this particular case. First, the Court found that the State's pre-emption was hardly predictable and that it was applied arbitrarily and selectively. Based on this process, the Court determined that the applicant, as a victim, had a personal and disproportionate burden that could only have been justified if she had been allowed, which was denied to her, to successfully contest the action taken against her. As a result, the proper balance between the needs of the common interest and the preservation of property rights was disrupted.

Moreover, Alternative Dispute Resolution (ADR) is one of the most widely used methods of settling land disputes in Europe. ADR is an effective mechanism for resolving conflicts in land use situations due to its advantages. An unbiased mediator or arbitrator may be able to examine common concerns and negotiate a settlement that is equitable and advantageous to the interests of the majority of the parties in wide-area planning, where disputes may involve thousands of participants. In a similar vein, property rights activists frequently fiercely oppose local governments' attempts to implement land use restrictions, and alternative dispute resolution (ADR) could offer a way to ensure efficient governance. According to Sulliwan and Solomou (2011), alternative dispute resolution (ADR) might avoid lengthy litigation with neighboring landowners over issues including locating locally undesirable land uses (LULUs) and deciding on specific permit applications and approval requirements.

If measures are taken in advance to prevent land conflicts, many of them can be anticipated and, if not prevented, at least lessened. Therefore, it is essential to be aware of the events and changes that could lead to land conflicts. The extent of potential land conflicts and the range of their social, economic, ecological, and political ramifications should be roughly estimated as soon as a potential cause of conflict has been identified. This information should then be promptly shared with central and local decision-makers and responsible land management specialists. Experts in land conflicts should ideally consult with these decision-makers about the best ways to prevent significant land disputes. If not, they should be approached with proposals.

An intransigent application of the current legal system is typically the result of violent confrontations over land access, its underlying resources, such as coal, oil, gas, and

minerals, and its utilization. However, it then becomes clear that current land tenure and land policy frameworks are lacking. They frequently prevent social recompense, legal security, effective administration, and the resolution and arbitration of complex disputes. In certain Asian, Latin American, and African nations, land disputes are at the heart of a civil war-like situation. In Africa and the Near East, for instance, violent conflicts over immediate access to land and water typically occur between farmers of arable land and livestock keepers, but in Latin America, these conflicts are mainly between small or landless landholders and large landholders, as well as between indigenous communities and new, non-indigenous landlords (often private agricultural or forestry companies).

Governments, on the other hand, undervalue the important role they play in establishing the institutions necessary for the development and access to both urban and rural areas (Reydon, Fernandes and Telles, 2020). Therefore, discussing rural and urban growth shouldn't be seen as antagonistic. A fundamental idea and tenet of policy interventions, such as redistributive land reforms or directed land management adjustments, is the certainty and security of the law.

Since the design of land tenure regulations is always normatively based and approved by values and rules, rules based on local knowledge cannot be included in evolutionary processes unless all individuals directly and indirectly impacted by a new or changed land tenure system participate. The law is culturally influenced, despite being based on European legal frameworks for land access, use, inheritance, and dispute resolution. A wide range of actors and interest groups must be involved in any reformed legislation if it is to accurately reflect the complexity and differences of the current land tenure arrangements in practice. This holds for restricting and controlling private property for the benefit of all, as well as for guaranteeing the link between long-standing collective property rights and entitlements to benefit streams like social security.

## Conclusion

Land governance is “good” when decisions are made fairly and transparently regarding land use and access, enforcement, and conflict resolution. This ensures that land development is economically, socially, and environmentally sustainable while allowing everyone to participate fairly and receive an adequate share. Applying certain principles to land policy, land-related legislation, state land management, land administration, land reforms, land conflict resolution, and other areas requires sincerity and should be given importance. Fairness, responsibility, honesty, openness, efficacy, efficiency, rule of law, legal security, public participation, subsidiarity, security, and sustainability are some of these values. Preventing land conflicts requires effective governance, which includes equity. Once there is a sense of equity, further ideas on how to implement land-related conflict resolutions will ensue. Equity has multiple dimensions in this situation. There is equal acceptance of legal, customary, religious, and informal lawful property rights over land that require the observance of equality among people. Men's and women's land rights must be honored, as must the legitimate claims of vulnerable and marginalized groups, such as indigenous people, orphans, the elderly, minorities, refugees, and slum residents. To ensure equity, all stakeholders must be represented in land-related decision-making processes, such as land policy procedures, land commissions, land tribunals, and

land legislation. Finally, it is suggested that all land decisions, especially those involving competing property interests, must be firmly based on fundamental human rights.

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## Authors' Declarations and Essential Ethical Compliances

### *Authors' Contributions (in accordance with ICMJE criteria for authorship)*

<i>Contribution</i>	<i>Author 1</i>	<i>Author 2</i>	<i>Author 3</i>	<i>Author 4</i>	<i>Author 5</i>	<i>Author 6</i>
Conceived and designed the research or analysis	Yes	No	Yes	Yes	No	No
Collected the data	No	No	Yes	Yes	Yes	Yes
Contributed to data analysis and interpretation	Yes	Yes	No	No	No	No
Wrote the article/paper	Yes	Yes	No	No	No	No
Critical revision of the article/paper	No	Yes	No	Yes	No	No
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