Relevant aspects of current agricultural land use

D S Valiev, V F Matyushkin, E E Zhelonkina, A Z Gasanov and A V Fomina
State University of Land Use Planning, 15, Kazakova str., Moscow, 105064, Russia

E-mail: Valiev@guz.ru

Abstract. One of the most urgent problems in modern conditions including the need to ensure a balanced development of the national economy, increase its competitiveness and sustainability is the creation of a mechanism for involving unused agricultural land. It is no coincidence that the President of the country addressed the problem of ensuring effective and rational land use over the past few years in his Messages to the Federal Assembly of the Russian Federation. There are still many unresolved issues in this area. Scientists and specialists state the unsatisfactory condition and soil degradation in Russia. In case of improper exploitation (depletion, soil degradation), agricultural lands often lose their ability to manufacture products for a long time. In such cases, these lands productivity recovery often exceeds market value, mainly in regions where the market value of land is low. For this reason, the land becomes unattractive to the land owners, which is one of the reasons for the low rate of reduction of abandoned, unused land in the area.

1. Introduction
An increase in the area of agricultural land used for agricultural production is the most important goal stipulated by the State Program for the Development of Agriculture and the regulation of agricultural products, raw materials and food markets for 2013–2020.

According to federal statistical monitoring (as of January 1, 2016), the area of agricultural land in Russia amounted to 383.7 million hectares, including agricultural land of 197.7 million hectares. As of 2018, 116.2 million hectares (58.7%) of them was arable land, including almost 20 million hectares of the not used one and in general more than 52 million hectares of unused agricultural land in Russia (table 1) [1].

According to the data received from the constituent entities of the Federation, 56 million hectares of agricultural land (including 19.87 million hectares of land provided to citizens and legal entities) are not used in Russia for their intended purpose. According to the information provided by the state registration, cadastre and cartography service, the area of cropland suitable for agricultural use is 11.4 million hectares, or 55% of the total unused layland.

Judging by statistics, the rate of bringing agricultural land under cultivation is clearly insufficient. The current incentive legislation does not solve the problem of providing individuals with free land ownership or lease. For example, during more than three years of the law on the “Far Eastern Hectare” [2] only 50 thousand hectares out of a possible 150 million received new owners. Moreover, even before the adoption of the law, the Far Eastern region was an entity with the smallest area of unused agricultural land (0.8 million hectares). Of course, it is too early to draw conclusions about the effectiveness of the laws adopted in a number of regions (Kostroma, Leningrad, Vologda Oblasts) in 2017–2019 on the free allocation of land to Russian citizens. However, the results are not yet impressive. There are many
reasons. They are as follows: the imperfection of information systems about the proposed sites, lack of cadastral registration and infrastructure as well as bureaucratic hurdles.

Table 1. Dynamics of changes in the area of agricultural land (as of 01.01.2019), million hectares

|                        | 2014         | 2015         | 2016         | 2017         | 2018         |
|------------------------|--------------|--------------|--------------|--------------|--------------|
| Total agricultural land| 386.5        | 385.5        | 383.7        | 386.6        | 383.2        |
| Arable areas           | 196.2        | 196.2        | 197.7        | 197.7        | 197.8        |
|                        | 50.76        | 50.9         | 51.5         | 51.5         | 51.6         |
| Cropland               | 115.1        | 115.1        | 116.3        | 116.2        | 116.2        |
| Layland                | 4.4          | 4.3          | 4.3          | 4.4          | 4.3          |
| Perennial plantings    | 1.2          | 1.2          | 1.2          | 1.2          | 1.2          |
| Hay making zones       | 18.6         | 18.7         | 18.7         | 18.7         | 18.7         |
| Cattle-post            | 56.9         | 56.9         | 57.2         | 57.2         | 57.3         |

It should be noted that at the federal level quite often they address the problem of the rational use of national wealth, a significant part of which are Russian lands.

On July 14, 2012, the Government of the Russian Federation approved the State Program for the Development of Agriculture and Regulation of Agricultural Products, Raw Materials and Food Markets for 2013–2020 [3]. Since then, parliamentary hearings have been held in both houses of the Federal Assembly on several occasions, most recently in February and March 2020. A number of amendments to land legislation have been adopted. The Ministry of Agriculture has now developed a draft Program for the period until 2030, which is likely to be submitted to the Government and the State Duma. There are no discrepancies between practitioners, the Government, or the legislators at the level of understanding problems.

Large-scale land disturbances, pollution, soil degradation, depletion of soil fertility are the main consequences of the removal of land from economic circulation due to irrational use. The head of the department of state land supervision of agricultural potential named the reasons for the abovementioned problems, which coincides with the conclusions repeatedly made by eminent scientists and practitioners in the regions [4, 5]. The above problems are divided into three groups: a) problems associated with physical and chemical effects on soils, leading to their disruption, pollution, flooding and other negative phenomena such as quantitative reduction of agricultural land caused by rejection for industrial and urban development needs; b) one of the important causes of significant deterioration of the soils state and their degradation in recent years has become the agronomic illiteracy of newly emerging land users and owners of agricultural land and, as a result, the widespread non-compliance with traditional agricultural practices and the neglect of scientifically substantiated and field-proven methods of farming by new organizers of agricultural production; c) irreparable damage to soil fertility caused by soil compaction resulting from the use of heavy equipment and an increase in the methods of processing crops during their cultivation; soil salination caused by the use of mineral fertilizers in excess, increase in soil acidity caused by the cessation of soils liming and a number of other negative phenomena.

As a result, agricultural land degradation continues to increase. Unfortunately, the state land monitoring data show that a tendency toward the deterioration in the quality of soils has been formed and continues to intensify in Russia.

To some extent, this is due to the fact that provided land plots are from the redistribution of land in state or municipal ownership (62.6 % of the total area of unused agricultural land). According to
information from individual constituent entities of the Russian Federation, such lands are unsuitable for agricultural production.

2. Research methods
The legal regulation of the turnover, protection and conservation of agricultural land were analyzed and state statistical reporting data, analysis of scientific works of Russian scientists were compared.

3. Results and Discussion
A number of authors draw attention to some gaps in the legislation [6]. Thus, Article 58 of the RF Labor Code “Compensation for losses of agricultural production” [7] has lost its force on January 1, 2008. In this regard, there is no clear legislative regulation of relations related to the replenishment of losses of agricultural land located in agricultural production but then withdrawn and applied for purposes not related to farming. Naturally, the area of land is reduced, including such a reason as deterioration in the quality (fertility) of the land. Earlier, bylaws provided a set of measures to restore agricultural land and their quality in order to maintain the level of agricultural production. Similar questions may arise when changing the purpose of land use in territorial zones of agricultural use. Compensation for agricultural losses on such lands is not legally fixed.

It is necessary to conduct a more detailed study of the issues concerning the regulation of relations regarding the use of land for agricultural production within the boundaries of settlements in which the priority of such lands is not provided at all.

Actual practice and law enforcement outlined the problems of applying the rules for identifying and seizing unused land. Federal Law of July 13, 2015 No. 245-FL “On Amending the Federal Law” On the Turnover of Agricultural Land” established the possibility of providing previously state-owned land plots formed from unclaimed land shares and subsequently transferred to property of constituent entities of the Russian Federation, agricultural organizations or peasant (farmer) households using such land plots for agricultural production shares, ownership or lease without bidding [8, 9]. At the same time, the price of a land plot is set at no more than 15 percent of its cadastral value and rent is set at 0.3 percent of its cadastral value. In addition to making the price dependent on the cadastral value, it is advisable to fix that the cost of the withdrawn plot should be reduced by the cost of the restoration measures necessary to bring such a plot into a condition suitable for agricultural production.

In addition, it follows from the norm of the law that the site is withdrawn not because of being not used but if specific signs of use are identified for other than the intended purpose. The latter are set at the level of bylaws. In particular, taking into account the special conditions of land use, the constituent entities of the Federation can establish regional features for determining negative processes on land plots being the part of agricultural land [10]. In many constituent entities of the Russian Federation, specialists in structural agricultural administrations are simultaneously state land use and conservation inspectors, who verify compliance with land legislation in relation to holders of agricultural land based on regional or local rules [11].

According to the results of inspections conducted by the Accounts Chamber of the Russian Federation, the total area of agricultural land in Russia decreased by 9.8 million hectares in 2008–2011. And these data apply only to state lands [12]. This was caused by many activities related to the transfer of agricultural land to other categories when changing the boundaries of settlements as well as with a change in the type of permitted use and termination of the activities of agricultural organizations that could not support manufacturing and marketing of their agricultural products in the face of increasing competition.

The degradation of agricultural land leads to the lack of a mechanism for the use of agricultural land of the organizations in bankruptcy [13, 14].

A large number of lands that are privately owned are not used for their intended purpose and type of permitted use, which leads to the deterioration of agricultural land condition. At the same time, it is noted that entrepreneurs having privately owned land often chase profit and do not follow the order of crops in the crop rotation excluding busy and free couples and plant monocultures for many years in a
row. This approach leads to land resources depletion. The restoration of the productivity of depleted agricultural land often leads to the fact that due to the low market value and huge costs of restoration the value of land can become a negative value [15]. Agricultural land with so called negative value is the main problem that leads to the exclusion of land from agricultural use.

As a result of the existing practice analysis, it is observed that in accordance with the procedure provided for by the Land Code of the Russian Federation an owner can abandon such lands without using them or can lease them out [15]. The procedure for abandonment of land, in accordance with the requirements of the Land Code of the Russian Federation, does not provide an expert evaluation determining the state of land at the time of abandonment. As a result, disturbed lands may be in municipal or state ownership. In accordance with applicable law, the financial investment in the restoration of fertility is the responsibility of authorities, and an owner does not bear any costs [15]. Along with this, the reason for the rejection of agricultural production on agricultural land is the unjustified overstatement of the cadastral value of agricultural land in regions where the market is underdeveloped in the relevant sectors [15].

As already mentioned the Ministry of Agriculture of the Russian Federation has developed a draft of a separate state program for bringing agricultural land under cultivation and developing the reclamation complex for 2021–2030. The program implies the involvement of at least 12 million hectares in circulation by the end of this period as well as the capture and systematization of data on 383 million hectares of agricultural land.

According to the draft program, it is planned to bring at least 12 million hectares under cultivation by the end of 2030. The Ministry of Agriculture notes that the system for bringing lands under cultivation does not contain information about their quality, composition and ownership structure. These data are scattered, missing or unreliable. In this regard, the Ministry of Agriculture sets such objectives of the state program as to capture and systematize data on 383 million hectares of agricultural land by the end of 2030 as well as to approve land management schemes for 44 million hectares of municipal agricultural land.

4. Conclusion

As a result of studying the regulatory framework, statistical data and scientific works, the main problems that lead to the degradation of agricultural land have been identified. This leads to the fact that thousands of hectares of land fall out of agricultural production due to gaps in the regulatory framework. It is recommended to revise the legal regulation regarding the agricultural land protection.

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