

ABANDONED AGRICULTURE LAND IN SERBIA

**Presentation: Issue and causes of abandoned
agriculture land in Serbia/ recommendations for
legal-technical improvement based on
experience and data collected from 7 pilot
municipalities**

**LANDNET Santiago de Compostela, Galicia,
Spain**

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Abandoned agriculture land (AL) in Serbia/main goals of project intervention

- The aim was to establish Scheme for combating abandonment of agricultural land as well as being environmentally, socially and economically sound and in line with EU regulations, reflecting best practices from other EU member states.
- The experiences gained in the seven pilot municipalities was used to elaborate improved procedures and processes, resulting in the definition of improved draft by-law at a later stage of the project.

Abandoned agriculture land (AL) in Serbia/statistical data and legal framework

- The majority of un-cultivated land is located in the south-east of Serbia
- Legal framework within the Law on agriculture land/ article 59 (paragraph 3) „The Ministry may lease to a natural person, i.e. legal entity arable agricultural land that has not been cultivated in the previous growing season for a period of up to three years, with the rental fee being paid to the land owner, after deducting the procedure-related costs“.

The analysis (V. Daugaliene/ A. Cartwright/ M.Drobnjakovic)/general causes of abandoned agriculture land

- Demographic: overall population decline, emigration, aging population, uneven distribution
- Farming: lack of investment ,uncertain returns, lack of buyers, old machinery, high costs of production, limited services to agricultural sector
- Land Structure: small parcels, irregular shaped ,limited access, weak land market, land structure by rating classes
- Social infrastructure: limited public services, limited amenities, limited utility supplies, poor quality of rural roads

The analysis(V. Daugaliene/ A. Cartwright/ M.Drobnjakovic) identified four main causes of abandoned land in South East Serbia features

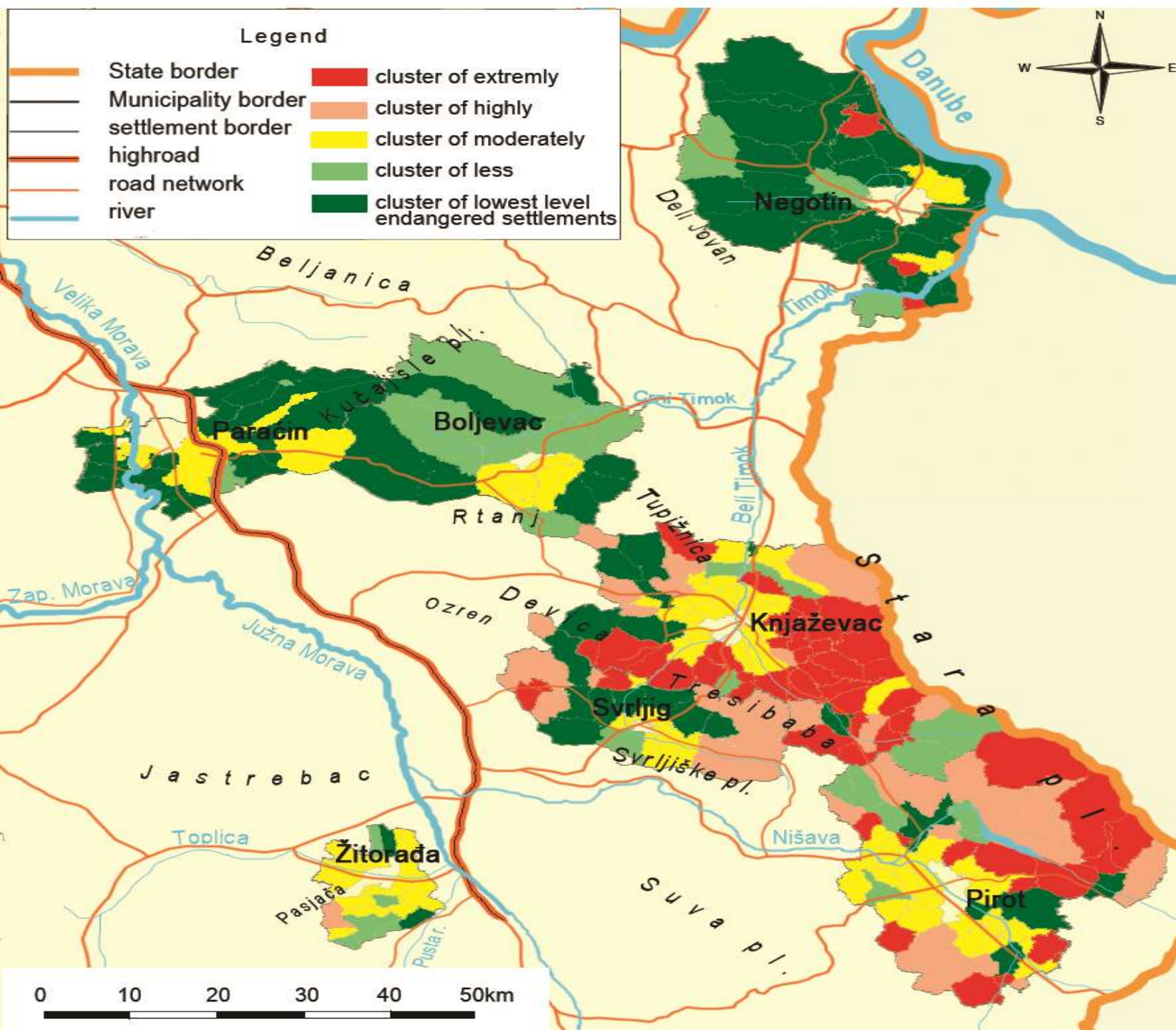
- Labor Force Potential: Age and demographic profile, qualifications, mobility and distance from the nearest urban center.
- Socio-Agrarian Potential: Rising populations with active, commercial holdings which combined with good public amenities, attracts labor and regular visitors, as indicated by high numbers of temporarily empty buildings and seasonal workers.
- Diverse Economy: The extent of alternative income sources, whether on farm processing or non-farm businesses, is an important predictor of land abandonment.
- Unfavorable Land Structure: A prevalence of very small plots and the lack of holdings between 2-5 hectares, indicates weak local demand for land and a relatively subsistence oriented production

Abandoned agriculture Land (AL) in Serbia



Sprovedeno od strane:





Agrarian based measures for reducing abandoned agriculture land

	Extremely endangered	Highly endangered	Moderately endangered	Less endangered	Lowest endangered
Direct payments to agricultural producers	*	**	**	**	**
Young farmers		*	**	***	***
Modernization of farms		**	***	**	***
Processing and marketing		*	**	**	***
Diversification of rural economy	***	***		*	
Strengthening producer groups		**	**	*	**
Support for small farms	*	**	**	**	
Support for farming in areas with natural constrains	**	***	**	*	
Agri-enviroment measures	**	**	*	*	
Leader type measures	**	**	***	**	*

Land related measures dealing with abandoned agriculture land

	Extremely endangered	Highly endangered	Moderately endangered	Less endangered	Lowest endangered
Land consolidation	***	***	*	**	***
Resolving ownership disputes	***	*	*	*	
Activating lease market	*	**	**	**	***
Reducing cadastral costs	***	**	*	*	*
Creating restoration funds	**	**	*	*	**
Land for pensions	***	***	*	**	*
Promote consolidation through subsidies	*	***	**	**	*

DATA/ PILOTS BEFORE AND AFTER LC

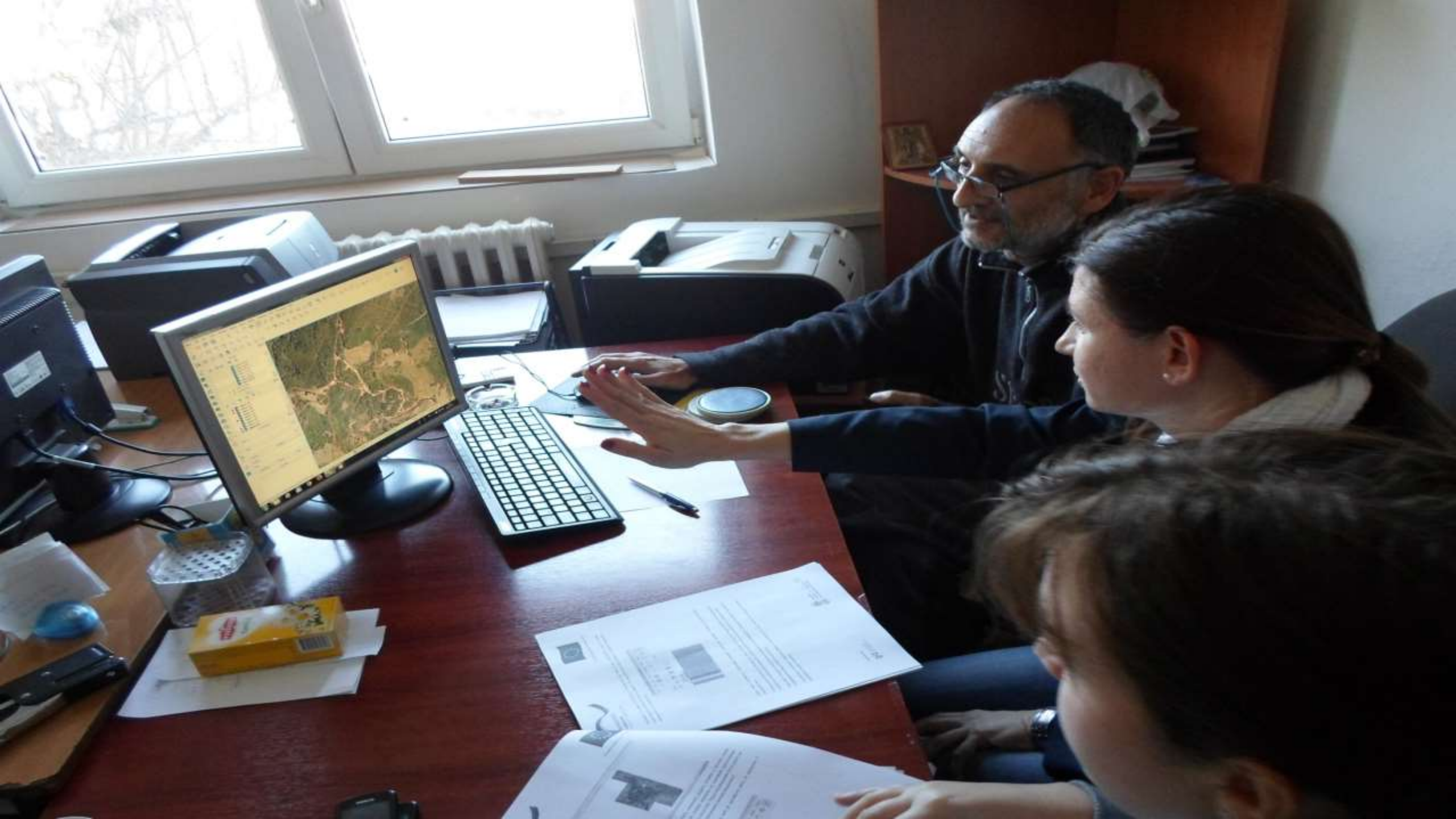
Pilot municipalities	Number of parcels before LC	Number of parcels after LC	Number of participants before LC	Number of participants after LC	Average size of parcel before LC (ha)	Average size of parcel after LC (ha)	The lenght of new build field roads (km)	The lenght of new build canal network (km)	Area for clearing within LC (ha)
Boljevac LC area 255 ha	926	409	292	258	0,28	0,63	11,06	1,92	25
Knjaževac LC area 200 ha	869	352	147	81	0,22	0,55	18,6	1,17	25
Paraćin LC area 1256 ha	6562	3724	1899	1311	0,13	0,31	91,5	-	71,5
Negotin LC area 2500 ha	12537	5041	1864	1049	0,19	0,80	99	-	10
Žitorađa LC area 888 ha	2542	1389	926	843	0,20	0,65	46	10,5	35
Pirot LC area 320 ha	1742	1158	880	955	0,18	0,27	28	-	5
Svrljig LC area 314 ha	2148	1196	610	411	0,12	0,25	19	5,77	25

Identification of AL using QGIS, DCP and Orthophoto images (J.Mund)

This process need to ensure the independence officers of local authorities in the identifying potentially abandoned agricultural land, their visual identification and analysis and edit spatial data

Defining and clarifying 3 categories of agriculture land:

1. Cultivated land
2. Uncultivated land(AL)1
3. Not sure if it is not cultivated land



Data-identification of AL using QGIS

Pilot Municipality	Number of parcels	Number of uncultivated parcels	Area of cadaster municipality(ha)	Area of uncultivated land(ha)
Paraćin CM Golubovac	2102	412	522	74
Svrljig CM Okolište	3910	930	723	196
Knjaževac CM Donja Kamenica	13788	2862	1728	484
Boljevac CM Vrbovec	6241	836	2163	245
Negotin CM Samarinovac	2710	250	1309	54
Pirot CM Mali Jovanovac	1040	115	2043	169

Validation of AL on the field

This process support municipalities officers to clarify amount of AL on the field and monitor the work of identification AL done in the office

The most important information collected:

1. Who is the land owner
2. The structure of parcel (infrastructure, slope, elevation and shape)
3. The structure of farms in municipality and cadaster municipality
4. General data (land category, date of verification, name of verifier)
5. Type of represented plants on parcel in % (herbaceous, woody and bushy)

Draft AL by law (J. Thomas)/ main recommendations

It needs a strategy to efficient applying and implementing Article 59 LAL.

1. Comprehensive survey and inventory of all uncultivated arable agricultural land within the entire territory of a municipality as well determination of the respective actual legal land owner. The findings are to introduce into an “Inventory List”; the list is continuously to update.
2. Offering to and convincing of the respective land owners to voluntary leasing the lands to interested lessees. To that purpose the municipality provides for a comprehensive information and awareness building campaign. Funding opportunities and other stimulating possibilities for leasing of agricultural land according to LAL shall be better made usefully.
3. Even if voluntary measures to reducing the scope of uncultivated lands fail and no objective obstacles against cultivating specific arable parcels are visible, compulsory measures pursuant LAL shall be started in a formal administrative procedure through the Ministry.

Draft AL by law 2015(J. Thomas)/ main recommendations

RECOMMENDATIONS ON AMENDING THE ACTUAL LEGISLATION:

- Authorization of municipality to officially identifying the real land owner of land parcels;
- Exemption of fees and charges of GIS data from RGA;
- In case of a procedure according to Art. 59 (3) LAL the deduction of the lease amount should be legally stipulated (for example: $\frac{1}{2}$ of the annual lease amount, but at least 10.000 RSD/ 85 EUR);
- Compulsory administrative procedure to updating the Real Estate Cadastre with monetary punishment (fine) in case of violation should be established in the Law on State Survey and Cadastre (LSSC) (Official Gazette of RS, No. 72/2009, 18-10) and corresponding rulebooks, but with:
 - a) Exemption of charge, if the update is filed within 2 years after finalization of the purchase, donation, inheritance or encumbrance act;
 - b) Indemnity from punishment, if in case of land purchase, donation, inheritance or encumbrance in the past an application to updating is made up leeway within two years after enforcement of the amended law.
- Enhancement of land tax by uncultivated lands

Draft AL by law (J. Thomas)/ main recommendations

RECOMMENDATIONS ON AMENDING THE ACTUAL LEGISLATION:

- In the actual administrative practice precondition for a participation in the first round of a public bidding by leasing of state owned land pursuant Article 64 b, paragraph 2, is that the bidder is land owner of a plot that borders with a state owned parcel. It is to consider, if such preferential participation in the first bidding round should be opened also for lessees of abandoned lands, when they are able to prove a respective lease contract with duration of at least 3 years. If the term “plot” may be interpreted as “piece of land”, and not as “real estate property” (cadastral parcel), no amendment of the law would become necessary.

If the state land has not been leased for at least the last three agro-economic years, it may be leased for agricultural production and the land is offered for use in the public tendering process at an initial price of zero (0) dinars, and if more than one bidder is announced, the bidder with the highest bidder will receive the land for use.

If one person registers for a public tender for land, a contract for use at a price of zero dinars is concluded for a period of 5 years.

If the period of use of agricultural land is extended by the user for the period for which the continued use of that land is paid, the rent shall be as follows:

- 1) for an area up to 10 hectares - in the amount of 10% of the average rental price per hectare in the local government unit on which the land is located;
- 2) for the area from 10 hectares to 50 hectares - in the amount of 40% of the average rental price per hectare in the local self-government unit on which the land is located;
- 3) for the area over 50 hectares - in the amount of 60% of the average achieved rental price per hectare in the local self-government unit where the land is located.

Thank you for your attention !

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