

# THE STATE OF LAND FRAGMENTATION AND LAND MANAGEMENT IN SERBIA AND MONTENEGRO

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## 1. INTRODUCTION

Present state is very unsatisfactory. Serbia today is the most rural country in Europe. At the beginning of 21st century in Serbia in rural areas lives approx. 50% of the total of population. As per the last statistic data, approx 20% of the population is occupied with agriculture while in developed European countries only about 5-7%.

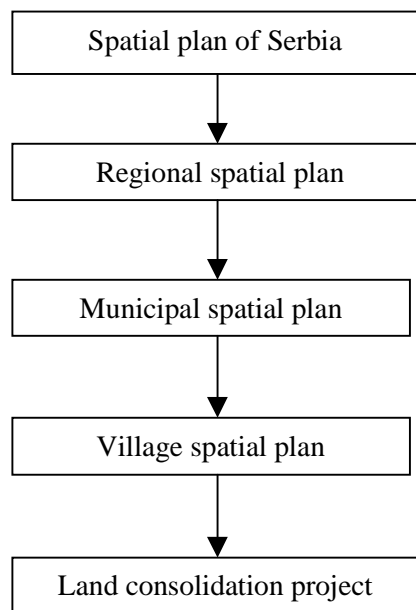
To prove that Serbia is an explicit rural country there is the following data evidencing that out of total 6,152 settlements in Serbia 189 are city settlements and 5,963 rural and it is 96.9% Rural territory covers in total approx. 95-97% of the whole.

The conditions in rural areas and settlements have become even worse. The life quality differences in urban and in rural areas are bigger and bigger. In rural areas the chances for employment except in agriculture are very small and it makes the population migrate and results that there are only aged households left.

Over 70% of the farms are not bigger than 5 ha and the fragmentation process keeps on. Farms in Serbia mostly are not market oriented and the production is only for the owner's needs with limited production for the market.

## 2. LEGAL FRAMEWORK IN RURAL PLANNING

Up-to-date territorial development especially of rural areas has been chaotic with an expressive illegal constructing. Within last few decades few laws were brought up but rural planning was unfortunately neglected.



*Fig. 1. System of territorial and urban planning in 80's*

From 1970-1990 big progress was achieved in legislation. Especially significant is the Law on planning and territorial organization brought up in 1985. Said Law gave a chance for approaching villages and rural areas planning in a comprehensive, multidisciplinary and general manner. But there was no practical outcome. Village neglecting was a consequence of a political decision.

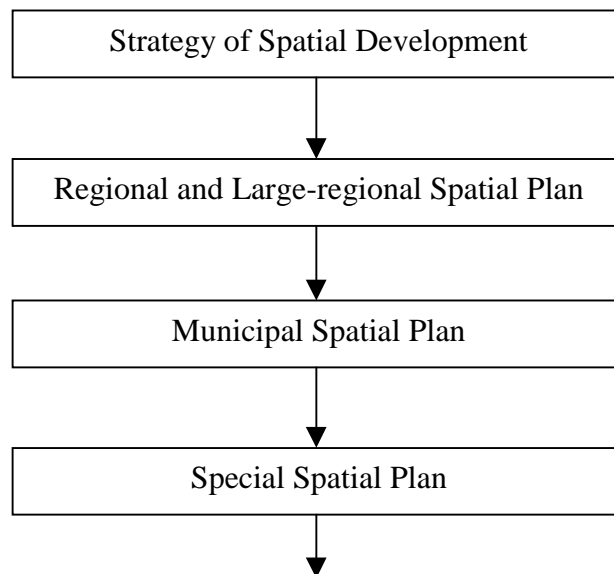
The years between 1990 and 2000 are the years in which any planning was left out. 1995 Law on territorial planning did not even give any chance for integrating village and rural area planning. This Law was complicated one also for urban planning so that in this period about one million of illegal objects were constructed and unexpectedly destroyed large surfaces of agricultural land (Fig.2).

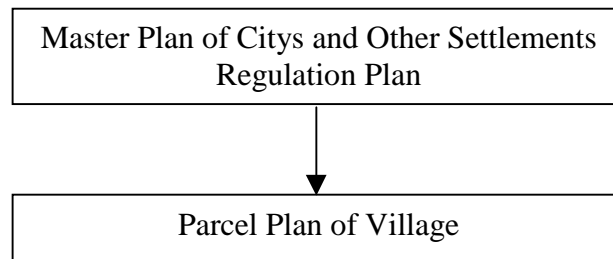
The Law on planning and constructing brought up in 2003 has enough defects but as well as the previous one. For example in Item 2 whereby the definitions are given there is no the rural area definition by which the definitions of strategic planning in the village and rural environment domain could be explained. Village is defined the way it was 100 years ago, but very unclearly with almost non-applicable definition: A village is a settlement whose population deals mostly with agriculture..., and is not a municipal center...!!! A big advantage of this new Law is that all the territory is to be covered by plan.



*Fig. 2. Review of illegally constructed objects at orthophotoplan in relation to the official cadastre plan*

In the following scheme of today's planning model is shown, and it includes the village as a planned category. Practical village and rural area planning is impossible without a Municipal terrain plan. Bringing back again these types of plans into planning system means a very positive move of the legislator.





*Fig. 3. Planning system as per current Law*

### 3. LAND CONSOLIDATION

Land consolidation has been a planned action that has been taking place for many years. This activity has mostly had its principal aim to expand the properties. First land consolidation took place through out the territory of today's Vojvodina in 1848 and under the Austro-Hungarian Laws. Working on land consolidation in central Serbia started for the first time only after II World War.

After 1945 for a long time land consolidation was considered a capitalistic act leading to private property strengthening. But in 1956 to prevent further land fragmentation land consolidation started and the leading ones were big public property farms aiming to group public property land.

In Serbia a Law that regulates works on land consolidation was brought up only in 1974. In wider areas of Serbia land consolidation started soon after but it was completely suspended in 1998. The reason for complete suspension of works on land consolidation in 1998 was that the working costs were too high and even exceeded the land price. The latest Law regulating works on land consolidation brought up in 1992 (Law on agricultural land) was never practically applied. From 1992 to 1998 when the works on land consolidation started to cease an outstanding land fragmentation arose. The reason for this fragmentation was the enforcement of Law on Land Restitution of 1992 on basis of which returning of confiscated land taken away from the owners between 1945 and 1953 was done.

In the time of intensive works on land consolidation from 1955 to 1995 land consolidation was done in the area of 710 cadastre municipals i.e. in the area of 1,445,720 ha and that is 20% of total of agricultural land in Serbia.

Despite a lot was done on land consolidation the results are still bad. First of all because:

- There was no any connection what so ever between land consolidation and terrain plans and plans of village arrangement.
- Economic and market principles were not taken care of.
- There was a limit of 10 ha for every and each private property.
- There was not any democratic participation of all actors in this process and usually that provoked discrediting of the whole process.

		Central Serbia	Vojvodina
Public sector	Before	1.09 ha	1.50 ha
	After	7.15 ha	10.58 ha
Private sector	Before	0.24 ha	0.67 ha
	After	0.61 ha	1.40 ha

*Fig. 4. Average parcel size before and after the land consolidation done at the time of socialism.*

#### 4. CONCLUSION

Serbia is now at a new beginning. It would be pretentious to say that we in Serbia have Land Management and that we know what that is. When speaking of transition and rural development and what they bring, I do not believe that it is clear to the ones that make decisions but nor it is to the inhabitants of a Serbian village. Despite obvious advantages Serbia had comparing to the other socialist countries, for realization of the new beginning Serbia needs help from the international community especially through:

- Training programs.
- Support in legislation frame creation that regulates this sector.
- Support for pilot projects realization.
- Financial support.

In the past Government of Republic of Serbia did not have an obvious plan of development in agriculture. The only serious measure, which should stop further fragmentation, was government aid while buying agriculture land so that every fourth ha bought was free of charge.