

# PUBLIC LAND MANAGEMENT IN SERBIA

Regional Workshop on Land Tenure and Land  
Consolidation-Land Banking and Public Land  
Management

Prague, 21-24 June 2010

## Public land management

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- |                     |                   |
|---------------------|-------------------|
| ▶ Agricultural land | <u>Property :</u> |
| ▶ Forestry land     | - private         |
|                     | - state           |
| ▶ Construction land | - cooperative     |
|                     | - social          |
| ▶ Water             |                   |



## Public land management (cont.)

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- ▶ Background and history
- ▶ Current legal and institutional framework
- ▶ Bottlenecks and issues to be resolved
- ▶ Lessons learned and recommendations



## Background and history of public land management (1945-1985)

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- **Policy framework**

- Confiscation of agricultural land (1945-1953)
- Allocation of agricultural land to poor farmers and agricultural companies
- Restricted size of agricultural land

Land policy was directed to assist agricultural companies and cooperatives

- **Legal framework**

- Law on agrarian reform
- Law on nationalization, confiscation ...
- Constitutional limitations on the size of agricultural land for farmers



## **Background and history of public land management (1945-1985) (cont.)**

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### **▶ Institutional framework**

- ▶ Land book
- ▶ Ministry of Agriculture
- ▶ Socially owned companies

### **▶ Financial management**

- ▶ 80 – 90% of the budget was spent on the development of agricultural companies:
    - ▶ Land consolidation
    - ▶ Purchase of agricultural land
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## **Background and history of public land management (1945-1985) (cont.)**

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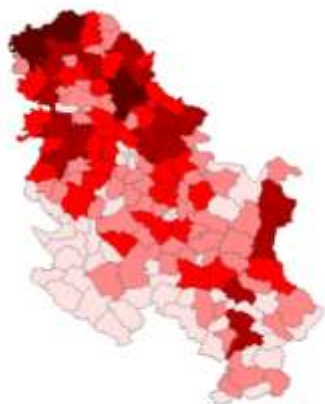
### **▶ What were the consequences of such land policy ?**

- ▶ Records on real estate were not up-to-date
    - ▶ Farmers could not qualify for grants, subsidies ...
    - ▶ Companies were not interested in registering their rights since they were not owners of the land (land was in social ownership)
  - ▶ Creation of large agrokombinates (90.000 ha PKB)
  - ▶ Development of family farms was impossible
    - ▶ Restricted size of agricultural properties (10 ha)
    - ▶ They were not subsidized
  - ▶ 80% private / 20% social
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# Arable agricultural land

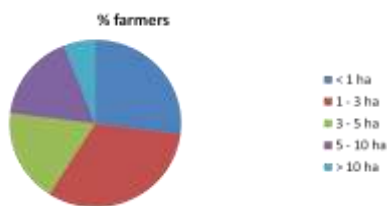
Distribution of arable agricultural land



Share of arable land in the agricultural land



## Structure of farmers by size of agricultural land use



Agricultural land	Number of farmers		The total number of		Arable land in		Average arable land
		%	hectares	%	hectares	%	per hectares
< 1 ha	214.388	27	134.638	5	107.949	6	0,50
1-3	254.832	32	533.230	19	371.109	20	1,45
3-5	135.161	18	559.074	20	370.055	20	2,74
5-10	131.438	17	939.074	33	611.766	33	4,65
> 10	43.072	6	635.674	23	383.889	21	8,91
Укупно :	778.891	100	2.801.690	100	1.844.768	100	2,37

## Current legal and institutional framework

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### ► Policy framework

- Changes in agrarian structure
- Free agricultural land market  
*Until 2014. year foreign legal and natural persons cannot be owners of agricultural land.*
- Clear rights and records of agricultural land
- Restitution
- Privatization of agrokombinates



## Current legal and institutional framework(cont.)

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- Utilization of state owned agricultural land
  - Equal treatment
  - Non-discrimination
  - Proportionality
  - Transparency
  - Preserving the principles of competitiveness
- Formation of new and improvement of existing institutions
- Sustainable use of agricultural land (in accordance with the preservation of the environment)

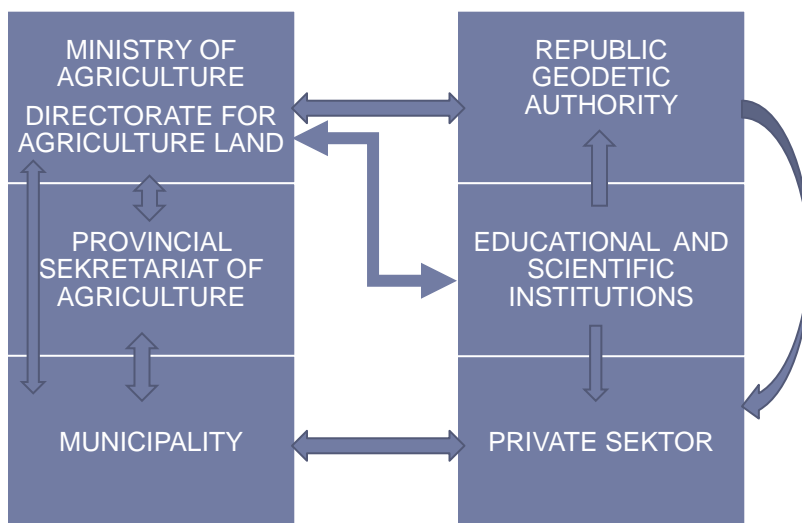


## Current legal and institutional framework(cont.)

### Legal framework

- ▶ Law on restitution
  - ▶ Law on restitution of agricultural land seized during 1953 (land exceeding maximum of 10 ha)
  - ▶ Law on restitution of property to churches and religious communities
- ▶ Law on agricultural land
- ▶ Law on cadastre and registration of real estate rights

## Current legal and institutional framework(cont.)



## Responsibilities

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- ▶ **Republic Geodetic Authority**
  - ▶ Property
  - ▶ Agricultural crops and soil quality
  - ▶ Acreage
  - ▶ Land consolidation (part)
- ▶ **Ministry of agriculture, forestry and water management – Directorate for agriculture land**
  - ▶ Creation of land policy
  - ▶ Implementation of land policy
  - ▶ Management of state owned agricultural land
- ▶ **Provincial secretariat, municipality**
  - ▶ Implementation of land policy
  - ▶ Leasing of state owned agricultural land



## Development of Human Resources

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- ▶ Increase in the number of employees (Directorate for Agricultural Land)
- ▶ Project of the Directorate for Agriculture Land – BVVG  
Training of employees for leasing the state owned agricultural land
- ▶ Project of the Directorate for Agriculture Land - Municipality
  - ▶ Training of employees for leasing of state owned agricultural land
  - ▶ For use the funds for protection, land consolidation and use of agricultural land
- ▶ Postgraduate Studies in Civil Engineering



## Financial Management

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- ▶ Directorate for Agricultural Land

- ▶ State Budget
- ▶ Income from the lease (30%)
- ▶ Income from land use change (60%)

- ▶ Provincial Secretariat

- ▶ Provincial Budget
- ▶ Income from the lease(30%)

- ▶ Municipalities

- ▶ Municipality Budget
  - ▶ Income from the lease(40%)
  - ▶ Income from land use change (40%)
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## Financial Management (cont.)

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- ▶ Budget funds are less than 10%
  - ▶ Funds from the lease and land use change are paid on one single account, and than automatically allocated to the accounts of the state, provinces and municipalities
  - ▶ Republic Geodetic Authority
    - ▶ Budget (100%)
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## Achievements

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- ▶ Adoption of new land policy
  - ▶ Adoption of new laws
  - ▶ Provided the initial funds for that project
  - ▶ Agricultural land market development
    - ▶ Free land market (without limitations for domestic natural and legal persons)
    - ▶ Partial restitution (done)
      - ▶ More than 210,000 ha was restored to “old owners” and churches
    - ▶ Privatization of agrokombinates (90%)
    - ▶ Improved and accelerated system of registration of agricultural land (87%)
    - ▶ Decrease of tax on conveyance of agricultural land
    - ▶ Abolished tax on lease of agricultural land
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## Achievements (cont.)

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- ▶ Every legal and natural person has possibility to lease state owned agricultural land
  - ▶ more than 270,000 hectares is under lease at the moment
  - ▶ over 6,500 contracts concluded with farmers and companies (currently 4,100 active contracts)
  - ▶ revenues (in the last three years more than 80 million EUR)
  - ▶ Subsidies for lease of private agriculture land whose owners are older than 65 years
  - ▶ Establishment of Directorate for agricultural land
  - ▶ Progress in the education on the issues of land management
    - ▶ Directorate for agricultural land
    - ▶ Local governments
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## Achievements (cont.)

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- ▶ of agricultural land
  - ▶ Land consolidation
    - ▶ Strategy of Land Consolidation
    - ▶ 6 complex land consolidation projects - total area of 12,500 ha
    - ▶ 1 project for voluntary land consolidation 12.5 ha
  - ▶ Improvement of the quality of land (45,000 ha)
  - ▶ Irrigation
  - ▶ Drainage
  - ▶ Protection of agricultural land
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## Bottlenecks and issues to be resolved

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- ▶ Republic Geodetic Authority
    - ▶ Real estate registry is not up-to-date
    - ▶ Lack of information system on real estate that could be used by other authorities
    - ▶ Lack of digital plans
    - ▶ Lack of orthophoto
    - ▶ Lack of educated employees
  - ▶ Ministry of agriculture, forestry and water management
    - ▶ Directorate for agricultural land
    - ▶ Autonomous Province
    - ▶ Municipality
      - ▶ Lack of educated employees
      - ▶ Lack of equipment
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## **Bottlenecks and issues to be resolved (cont.)**

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- ▶ Implementation of the adopted laws
- ▶ Adoption of new bylaws
- ▶ Establishment of new institutions and improvement of the existing ones
  - ▶ Equipment (technical)
  - ▶ Increase in number of employees
  - ▶ Education of employees
- ▶ Financial support for protection measures, land consolidation and improvement of agricultural land use

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## **Lessons learned and recommendations**

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- ▶ Adoption of the relevant legislation was not followed by establishment of institutions and education of employees
- ▶ Procedures adopted by law are complicated
  - ▶ Requirements :
    - ▶ Educated administration
    - ▶ Slower realization
- ▶ Permanent education
  - ▶ Of public land management sector
  - ▶ Of private sector

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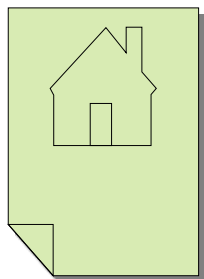
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## Recommendations

- ▶ Land policy has to be defined in clear and comprehensive manner, it needs to be realistic and long term (we should not fear of the changes)
- ▶ The effects of measures of land policy and management are often visible after more years (we should work and believe in success)
- ▶ Independent expert agencies are better solution than state and local selfgovernment

## MSc Studies on Department of Geodesy and Geoinformatic

NEW MASTER PROGRAMME IS BORN



GEODESY



GEOINFORMATICS



LAND LAW AND  
ECONOMY

## Master programme in Land Law and Economy

Website: <http://landlaw.grf.bg.ac.rs>



Brosure



Poster



## Master programme in Land Law and Economy

### Courses

- ▶ Real Property Law (10 credits)
- ▶ Environmental and Planning Law (10 credits)
- ▶ Property market (6 credits)
- ▶ Real Property Investment Analysis (7 credits)
- ▶ Natural Resources (6 credits)
- ▶ Infrastructure (7 credits)
- ▶ Geographic Information Systems (10 credits)
- ▶ Land development and consolidation, basic course (10 credits)
- ▶ Land development and consolidation, continuation course (12 credits)
- ▶ Urban Land Management (10 credits)
- ▶ Negotiation and communication (6 credits)

## **Master programme in Land Law and Economy**

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### **Why did we establish new master programme?**

- ▶ Educational system did not provide courses in land management on academic level
- ▶ Land management in Serbia mostly depending of surveyor with technical education



## **Master programme in Land Law and Economy**

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### **What should we do?**

- ▶ To continue cooperation with KTH, TKK and UL
- ▶ To open cooperation with universities from neighborhood
- ▶ To improve students mobility
- ▶ To open cooperation with Serbian institutions (Ministry, RGA, Municipality...

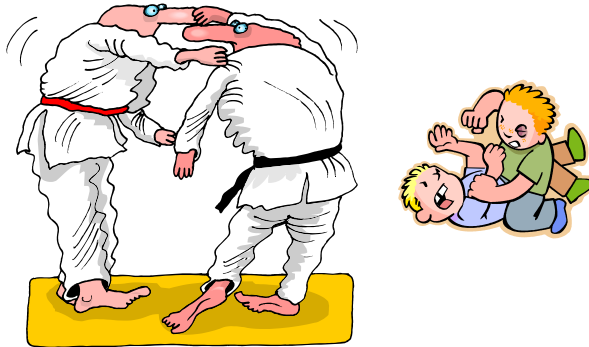


# Master programme in Land Law and Economy

## What did we learn?

Reforming is more than matchmaking

Reforming is  
a challenge



If we start solving the problems we might solve them, if we  
do not start solving the problems we will certainly not  
solve them

## Thank you

Directorate for agriculture land

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