



Land Governance in an Interconnected World

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NEW TRENDS IN DEVELOPMENT OF LAND TENURE IN RUSSIA

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Abstract

The modern stage of Land Tenure development in Russia is featured by appearance of agricultural holdings and increasing size of private farms due to land consolidation. Development of Land Tenure in Russia is mostly depended on Regional Land Policies. The Republic of Kalmykia is located in the Southeastern edge of Europe. The Republic of Kalmykia is a part and subject of the Russian Federation. We can observe in the region unique trends, which are in the increase of agricultural land area as well as in the number of private farms and their average size. The following measures must be implemented to strengthen sustainability of Land Tenure development: land legislation must be improved; the institutional framework for implementation of “Landlord-Tenant” system must be introduced; the training programs related to Land Tenure development must be initiated; the pilot projects focused on Land Tenure development should be launched to make demonstration effect.

Key Words: Land Tenure, Land Consolidation, Russia, Republic of Kalmykia

INTRODUCTION

We can treat Land Tenure as a system of land ownership relations or a “bundle of rights”. It includes itself the unlimited number of rights to land. But the most important of them are the rights of possession, use and disposal of land. Land Tenure reflects the relations arising between people regarding the land as an object of property rights and management.

The classical system of land ownership relations presupposes the existence of two main subjects of these relations – landlord and tenant. The landowner has a whole “bundle of rights”, while the tenant has only some of them related to paid land use.

Development of Land Tenure is unique in Russia as compared to other countries. This is because the role of the state has always been and remains dominant in the regulation of land relations in Russian agriculture. Development of Land Tenure in Russia has always been contradictory, spiral. We can distinguish the following stages of development of Land Tenure in Russian agriculture:

- The Emancipation Reform of 1861;
- The Stolypin’s Land and Agrarian Reforms (1906-1917);
- Land Nationalization (1917-1918);
- Collectivization of private farms (1928-1940);
- Consolidation of the collective farms (kolkhozes) and the transformation some of them into state farms (sovkhoses) (50-60-ies of the last century);
- The modern Land and Agrarian reforms.

The abolition of serfdom and the Stolypin’s reforms were focused on the development of private land ownership in Russian agriculture. However, in the result of compulsory collectivization in 1928-1940 about 25 million peasant farms were transformed into 240 thousand collective farms.

In the 50-60-ies of the last century took place the compulsory consolidation of the collective farms. It was also carried out mainly by administrative methods. Many collective farms were compulsory transformed into the state farms. As a result, the number of collective farms decreased to 44.5 thousand by 1960 and to 29.1 thousand by 1990. In 1990 the average size of collective farm and state farm was amounted respectively 5,873 hectares and 15,276 hectares of farmland.

In 1917-1991, the role of the state in the regulation of the land relations was hypertrophied. The role and importance of market regulators such as the land tax, the land rent, the price of the land as well as land lease and land mortgage were denied both in theory and in practice. Moreover, any Agricultural Land Market Transactions were banned.

The super goal of modern Russian Agrarian and Land Reforms is to create the conditions and incentives to provide sustainable development of agricultural production and to solve the country's food problem. It should be noted, that one of the specific objectives of the reform is the redistribution of land from collective to private farming, from state to private land ownership in order to provide rational use and protection of lands in Russia.

However, “Landlord-Tenant” system has not been introduced yet. The vast majority of land including agricultural land still remains in state and municipal ownership. In this regard, it is very important to redistribute land from state and municipal ownership to private ownership. The most useful mean to achieve this goal is development of Land Market including Agricultural Land Market based on land auctions.

We can distinguish the following stages of development of Land Tenure in Russian agriculture in the framework of the modern land and agrarian reforms in Russia:

- Introducing of household responsible or contract system in agriculture inspired by successful Chinese experience;
- Implementation of land lease in agriculture;
- Reorganization of collective farms (kolkhozes) and state farms (sovkhoses) by dividing them into shares;
- Land consolidation which is featuring by appearance of agricultural holdings and increasing average size of private farm.

Land Consolidation is a merging, enlargement, eliminating of mosaic land ownership and improvement of configuration as well as optimization of size of land plots in order to increase the efficiency of agricultural production via rational use of scarce resources: land, labor and capital based on reduction of transaction costs.

The specific objectives of Land Consolidation are the following: increasing the efficiency of agricultural production; providing sustainable development of agrarian sector; rational use of land, labor and capital in

agriculture; optimization of agricultural production structures both in territorial and production aspects; increasing the competitiveness of agricultural producers in domestic as well as foreign markets; environmental protection; development of production as well as social infrastructure in agriculture.

Land Consolidation should be carried out based on the following principles: voluntariness; openness and transparency; financial and economic feasibility; taking into account the interests of the population groups involved including women and youth as well as indigenous people; step by step implementation; consideration of local conditions; state and NGO support.

LAND TENURE

According to the Federal Service on State Registration, Cadaster and Cartography of the Russian Federation (Rosreestr), the state and municipal owned land amounted 1,579.1 million hectares, or 92.2 %, private land -115.3 million hectares, or 6.7 % and land owned by legal entities - 18.1 million hectares, or 1.1 % of the total the Russian Federation's territory in 2015.

The most important piece of the Russian Federation's territory is agricultural land. According to the Rosreestr, the state and municipal owned agricultural land amounted 255.3 million hectares, or 66.5 %, private land -111.1 million hectares, or 29.0 % and land owned by legal entities - 17.3 million hectares, or 4.5 % of the total Russian Federation's agricultural land in 2015. The total agricultural land area was estimated 383.7 million hectares, or 22.4 % of the total Russian Federation's area in 2015. The cropland, perennial, pastures, hay field lands as well as idle land were amounted 197.7 million hectares, or 51.5 % of total agricultural land area in 2015 (See Table 1).

Table 1. Agricultural Land, Russian Federation, 2015, million hectares

Item	Area	%
Agricultural Land	197.7	51.5
Forest Land	24.8	6.5
Bush Land	19.2	5.0
Road Land	2.3	.6
Building Site Land	1.1	.3
Water Land	13.1	3.4
Others	125.5	32.2
Total	383.7	100.0

Source: Rosreestr, 2016

The dominant role in the Russian agricultural land use has played joint stock companies as well as production coops (See Table 2). The share of joint-stock companies and partnerships in the total area of agricultural land of parastatals amounted 51.8% and in the area of cropland - 56.8% in 2015. The share of production coops in the total area of agricultural land of parastatals was amounted 36.9% and in the area of cropland – 33.2 % in 2015.

Table 2. Land Use of Parastatals, Russian Federation, 2015, 1000 hectares

Item	Total	Cropland	Idle Land	Perennial	Hay Field Land	Pasture
Joint Stock Companies and Partnerships	60,526.9	42,930.5	935.4	216.9	4,380	12,064.1
Production Coops	43,100.5	25,064	1,043	78.8	3,972.4	12,942.3
State and Municipal Enterprises	6,116.5	2,779.7	80.8	45.1	597	2,613.9
Research Institutions	1,713.5	1,309.4	19.8	13.4	108.2	262.7
Subsidiary Farms	923.9	572.6	22.8	3.5	108.2	216.8
Others	4,405.2	2,818.8	71.4	13.8	309.4	1,191.8
Tribal Land	15.8	.3	-	-	8.8	6.7
Kazak Society Land	89.5	60.4	.1	.1	6	22.9
Total	116,891.8	75,535.7	2,173.3	371.6	9,490	29,321.2

Source: Rosreestr, 2016

Land tenure of the largest agricultural holdings in the Russian Federation in 2016 is shown in Table 3. As we can see from Table 3 these businesses have consolidated large area of agricultural land. The average size of agricultural holding amounted 490 thousand hectares in 2016. It varied from 340 thousand hectares to 790 thousand hectares in 2016. However, compared to the total area of agricultural land used by parastatals, the land ownership of agricultural holdings are insignificant. It was not exceeded 5% of the total agricultural land area used by parastatals in 2015-2016.

Table 3. Land ownership of agricultural holdings, Russian Federation, 2016, 1000 hectares

Item	Agricultural Land Area	%
Prodimex & Agrokultura	790	16.1
Miratorg	594	12.1
Rusagro	594	12.1
Ivolga-holding	511	10.4
HK Ak bars	505	10.3
Agrokomplex	456	9.3
Rosagro	400	8.2
Avangard-agro	370	7.5
Krasny Vostok agro	350	7.1
Cherkizovo & Napko	340	6.9
Total	4,910	100.0

Source: Who owns Russia. The largest owners of farmland in Russia <http://www.business Life> dated April 19, 2016.

Private farms have played an important role in the Russian agricultural private land use (See Table 4). The share of private farms in the total area of the private agricultural land use amounted 31.5% and in the area of cropland – 39.9 % in 2015.

Table 4. Land Use of Private Farms and Citizens, Russian Federation, 2015, 1000 hectares

Item	Total	Cropland	Idle Land	Perennial	Hay Field Land	Pasture
Private farms	23,901.7	16,424.7	124.8	18.1	1,074	6,260.1
Individual Entrepreneurs	2,737.1	2,029	32.3	13.5	117.7	544.6
Personal Subsidiary Farms of Citizens	7,439.7	5,116	71.6	215	1,010.1	1,027
Service Land	53.4	10.7	-	.4	37.5	4.8
Horticulture	1,109.7	49.8	1.5	1,053.7	1.5	3.2
Vegetable Growing	271.4	270	.7	.4	-	.3
Dacha Land	79.6	63.2	1.3	6.9	2.8	5.4
Housing	559.6	466.9	.6	63.2	9.3	19.6
Livestock Farms Land	319	45.7	.1	.1	65.8	207.3
Grazing	15,134.2	1,239	108.8	8.2	3,198.9	10,579.3
Agricultural Land Owners	10,679.8	7,983.4	159.4	23.5	616.9	1,896.6
Land Shares	13,508	7,417.7	904.9	31.1	1,475.2	3,679.1
Total	75,793.2	41,116.1	1,406	1,434.1	7,609.7	24,227.3

Source: Rosreestr, 2016

However, the total agricultural land area has been reduced (See Table 5). According to the Rosreestr, the total agricultural land area decreased by .3 million hectares in 2015 compared to 1990 from 222.4 million hectares to 222.1 million hectares, or by .1%.

The cropland area decreased by 9.5 million hectares in 2015 compared to 1990 from 132.3 million hectares to 122.8 million hectares, or by 7.2%. Moreover, in 2015 compared to 1990, the area of pasture land increased by 5.2 % and idle lands - in 16.3 times.

Table 5. Agricultural Land, Russian Federation, 1990-2015, million hectares

Item	1990	2000	2010	2011	2012	2013	2014	2015	2015/1990,%
Agricultural Land - total, including:	222.4	221.1	220.4	220.3	220.2	220.2	220.2	222.1	99.9
Cropland	132.3	124.4	121.4	121.4	121.4	121.5	121.5	122.8	92.8
Pasture	87.9	90.9	92.0	92.0	92.0	92.0	92.0	92.5	105.2
Idle Land	.3	3.9	5.1	5.0	5.0	5.0	4.9	4.9	16.3 times

Source: Rosreestr, 2016

After boom at the first period of reform, the number of private farms has been decreased due to severe macroeconomic instability and lack of market infrastructure as well as market economy knowledge. In 2015 the number of private farms decreased by 6.3 % compared to 1995(See Table 6).

However, the average size of agricultural land occupied by private farm has been increased due to land consolidation. It was estimated 69.3 hectares in 2015. Thus, it increased by 61.5 % compared to 1995.

Table 6. Private Farms, Russian Federation, 1995-2015

Item	1995	2000	2010	2013	2014	2015	2015/1995,%
Number of farms, 1000	279.1	263.7	261.7	258.5	258.9	261.6	93.7
Total land area, 1000, ha	11,982.1	15,368.7	16,284.1	17,128.8	17,681.6	18,130.4	151.3
Average land size, ha	42.9	58.3	62.2	66.3	68.3	69.3	161.5

Source: Rosreestr, 2016

LEGAL FRAMEWORK

The legal framework for Land Tenure development in the Russian Federation includes the following legal acts:

- The Constitution of the Russian Federation;
- The Civil Code of the Russian Federation;
- The Land Code of the Russian Federation issued on October 25, 2001, #136-FZ amended on December 31, 2017;
- The Federal Law of the Russian Federation issued on July 16, 1998, #102-FZ “On Hypothecation (Real Estate Mortgage)” amended on November 25, 2017;
- The Federal Law of the Russian Federation issued on June 18, 2001 #78-FZ “On land use planning” amended on December 31, 2017;
 - The Federal Law of the Russian Federation issued on July 24, 2002, #101-FZ “On turnover of agricultural lands” amended on July 3, 2016;
 - The Federal Law of the Russian Federation issued on December 21, 2004, #172-FZ “On transfer of lands or land plots from one category to another” amended on July 29, 2017;
 - The Federal Law of the Russian Federation issued on December 29, 2006, #264-FZ “On development of agriculture” amended on December 28, 2017;
 - The Federal Law of the Russian Federation issued on December 29, 2010, #435-FZ “On amendments to certain legislative acts of the Russian Federation in terms of improving turnover of agricultural lands” amended on July 3, 2016 ;

- The Federal Law of the Russian Federation issued on July 3, 2016, # 237-FZ “On State Cadaster Valuation” amended on July 29,2017;
- The Federal Law of the Russian Federation issued on July 3, 2016, # 354-FZ “On amendments to certain legislative acts of the Russian Federation to improve the procedure for seizure of land plots from lands of agricultural purpose when they are not in use for the intended purpose or use in violation of the legislation of the Russian Federation”;
- The Federal Law of the Russian Federation issued on December 30, 2015, # 431-FZ “On geodesy, cartography and spatial data and on amendments to certain legislative acts of the Russian Federation” amended on July 3,2016;
- The Federal Law of the Russian Federation issued on July 13, 2015, # 218-FZ “On State Registration of Immovable Property” amended on December 31, 2017;
- The Federal Law of the Russian Federation issued on June 23, 2014, # 171-FZ “On amendments to the Land Code of the Russian Federation and certain legislative acts of the Russian Federation” amended on December 31, 2017;
- The Federal Law of the Russian Federation issued on July 29,2017, #217 “On the conduct of the citizens of horticulture for their own needs and on amendments to certain legislative acts of the Russian Federation”;
- The Order of the Ministry of Economic Development of the Russian Federation issued on September 1, 2014, # 540 “On the approval of the classification of types of permitted use of land” amended on October 6,2017;
- The State Program of development of agriculture and regulation of markets of agricultural products, raw materials and food for 2013-2020 issued on July 14, 2012;
- The Federal target program “Development of the unified state system of registration of rights and cadastral registration of immovable property for 2014 – 2020” approved by the Resolution of the Government of the Russian Federation issued on October 10, 2013, # 903 amended by the Decree of the Government of the Russian Federation issued on December 22, 2016, # 1444 as well as other legal acts.

Both the Constitution of the Russian Federation adopted in 1993, and the Civil Code of Russian Federation adopted in 1994, upholds the right to own private property, which includes both land plots and buildings. Despite these guarantees, however, land reform was for a long time the subject of national political debate. The general principles of land ownership are set out in the Constitution. Article 9 of the Constitution of the Russian Federation establishes the principle of private ownership of land. However, it

does not provide any procedure for the transfer of land, historically owned by the state, into private ownership.

The Land Code of the Russian Federation approved by the State Duma (Parliament) in 2001 has limited applicability to some categories of land, which are the subject of the separate federal laws. Such land includes water, forestland as well as agricultural land. According to the p.6 of the article 27 of the Land Code, the Federal Law of the Russian Federation issued on July 24, 2002, #101-FZ “On turnover of agricultural lands” governs the agricultural land market transactions.

Thus, in fact, the Land Code applies only to non-agricultural land, which covers about just two percent of the total Russian land area. In accordance with the article 7 of the Federal Law “On turnover of agricultural lands”, the Federal Law of the Russian Federation issued on July 16, 1998, #102-FZ “On Hypothecation (Real Estate Mortgage)” governs the agricultural land mortgage transactions.

Due to it the Farm Credit System as well as the mortgage banks should be further developed to provide an access for farmers to agricultural credit and to guarantee them the right to use their land as well as other real estate as collateral.

Thus, the Russian Land and Real Estate legislation must be revised to eliminate the substantial contradictions existing between different laws now. Due to it, some substantial changes were made in the Federal Law “On turnover of agricultural lands” as well as in the Federal Law of the Russian Federation issued on June 18, 2001 #78-FZ “On land use planning”.

According to the mentioned above laws, land shares owned by the former collective and state farmers had to be demarcated on the ground as well as their location had to be determined. However, the legislation must be further amended to enable the Federal Law “On turnover of agricultural lands” to ensure clear delineation of the corresponding property rights among the various level of the government.

According to the Federal Law “On turnover of agricultural lands”, the regional Agricultural Land Markets Acts were introduced at regional level. The Federal Law of the Russian Federation #172-FZ “On transfer of lands or land plots from one category to another” was adopted on December 21, 2004. According to the Law, the land transformation procedure had to be introduced and clarified.

On January 1, 2006, the Federal Law of the Russian Federation issued on October 11, 1991, #1738-1 "On Land Taxation" was abolished and a new chapter # 31 of the Russian Tax Code "Land Taxation" was introduced. According to the chapter, the Land Taxation is exclusive responsibility of local governments. According to the chapter, the maximum Agricultural Land Tax Rate defines as .3% of cadastral value for agricultural land and 1.5% of cadastral value for non-agricultural land.

On July 24, 2007, the Federal Law of the Russian Federation #221-FZ "On state cadaster of immovable property" was issued. According to the Law, the State Real Estate Cadaster was introduced on March 1, 2009. The Law governed the Real Estate Cadaster Survey Activities as well as collection, processing and usage of the Real Estate Cadaster Information. In accordance with the p.2 of the article 1 of the Law, the State Real Estate Cadaster was defined as a registered record that shows the ownership, boundaries, and values of land and buildings. Such register had to show the owner of each parcel of land, its area, its use and category, buildings as well as their fiscal assessment. In accordance with the p.5 of the article 1 of the Law, the land plots, buildings and other property were treated as the subjects of the Real Estate Cadastral Survey.

In 2010-2017, in Russia some existed legislative acts were amended and adopted new laws that have a significant impact on the development of Land Tenure in the country.

It should be noted, that the Federal Law # 264 "On development of agriculture" was adopted on December 29, 2006. The State Agricultural Development and Agricultural Markets Regulation Program for 2008-2012 were introduced in accordance with the mentioned above law. The Russian Government adopted the State Program of development of agriculture and regulation of markets of agricultural products, raw materials and food for 2013-2020 on July 14, 2012. This program is focused on improving the efficiency of agriculture, ensuring sustainable development of agricultural production and providing food security of the country. The Federal Law # 264 was amended on December 28, 2017. The amendments to the Law were focused on further increase in government support to domestic agricultural producers.

According to www.agroinvestor.ru, the Ministry of Agriculture of the Russian Federation designed a new draft of the State Program of development of agriculture and regulation of markets of agricultural products, raw materials and food for 2013-2020. The new version of the program is featured by transition

to financing of investment projects in agriculture. In accordance to the draft, it's planning to allocate for development of agriculture from the Federal budget 241.3 billion rubles in 2018 and 242. 2 billion rubles annually - in 2019-2020.

The Federal Law of the Russian Federation issued on December 29, 2010, #435-FZ "On amendments to certain legislative acts of the Russian Federation in terms of improving turnover of agricultural lands" amended the Federal Law of the Russian Federation issued on July 24, 2002, #101-FZ "On turnover of agricultural lands" as well as some other laws. The right and the order of compulsory withdrawal of the agricultural land plots were settled. According to the Law, it is possible through court in case when the land is not used 3 years and more, and at essential decrease in fertility or considerable deterioration of ecological conditions.

The Federal Law of the Russian Federation issued on June 23, 2014, # 171-FZ "On amendments to the Land Code of the Russian Federation and certain legislative acts of the Russian Federation" amended the Land Code of the Russian Federation. According to the Law, the goal of the amendment was to optimize the procedure for transferring land plots available in state or municipal ownership via development of land auction trading in Russia. The possibility of allocation of land plots for development, not only for housing, but also for other types of construction, including social was recognized.

Land plots had to be transferred without bidding only for the construction of important infrastructure projects, for individual housing construction, personal subsidiary farming and in other specific cases. The authorities had to put up for sale vacant land plots based on applications of citizens and legal entities, except if they were reserved for state or municipal needs, limited in circulation, etc. According to the Law, the starting auction price of the land plot was the cadastral value. Information on the availability of free land plots authorities had to oblige to show on the official websites. The Federal Law #171 was entered into force on March 1, 2015.

On December 24, 2014, in accordance with the Order # 540 of the Ministry of Economic Development of the Russian Federation issued on September 1, 2014, a new classification of types of permitted land use within the land categories was introduced. According to it, owner of the land plot shall have the right to choose any type of permitted use of the installed for the given land plot. The order identifies 12 target types or zones. They are agricultural, residential, public, business, recreational, industrial, transport, defense and security, special protection, forest, water, general use. In turn, each zone is divided into smaller sub-zones. For example, agricultural zone divided into crop, animal husbandry subzones, etc.

The Federal Law of the Russian Federation issued on July 3, 2016, # 354-FZ “On amendments to certain legislative acts of the Russian Federation to improve the procedure for seizure of land plots from lands of agricultural purpose when they are not in use for the intended purpose or use in violation of the legislation of the Russian Federation” amended some earlier issued federal regulations including the Civil Code of the Russian Federation and the Federal Law of the Russian Federation issued on July 24, 2002, #101-FZ “On turnover of agricultural lands”. The Law is focused on development of Agricultural Land Market and Agricultural Land Consolidation via involvement of unused agricultural land in turnover and improvement the procedure of withdrawal of agricultural land plots in case of their misuse.

The mentioned above law stipulates that agricultural land plots located less than thirty kilometers from the borders of rural settlements could not be used for nonagricultural activities. Agricultural land plot, except land subject to mortgage, or land, in respect of the owner which the court instituted bankruptcy proceedings, could be forcibly withdrawn from the owner in a judicial procedure in case if such land not used for agricultural production for three or more consecutive years.

According to the Federal Law #354, the starting auction price of the withdrawn agricultural land plot is the market value of such land, determined in accordance with the Federal Law of the Russian Federation issued on July 29, 1998, #135 “On valuation activity in the Russian Federation” amended on July 29, 2017, or the cadastral value of such land if the results of the state cadastral valuation approved no earlier than five years before the date of the decision on public tenders.

The method of determining the starting auction price of the seized land plot at public auction must be stated in the court decision on seizure of a land plot and selling it at public auction. Private farms and parastatals involved in state agricultural production support programs could lease state and municipal land up to 5 years without bidding or via land auction in case of availability of several applications. Thus, the implementation of the mentioned above law will allow redistributing and consolidating unused agricultural land in order to increase the efficiency of agricultural production by reducing transaction costs.

According to the Federal Law of the Russian Federation issued on July 13, 2015, # 218-FZ “On State Registration of Immovable Property” the state registration of real estate procedure became more accessible and clarified as well as simplified. The Federal Law # 218 replaced the law on state registration of rights to immovable property and transactions with it. The Federal Law #218 was entered into force on January 1, 2017.

The Federal Law # 218 allows in some cases to record restrictions of rights and encumbrances to immovable property, including an easement, mortgage trust management and lease. It provides unified recording and registration procedure for real estate.

According to the Law, the Unified State Register of Immovable Property (EGRN) will be introduced. It will be carried out exclusively in electronic form. It will include the Real Estate Cadaster, the registry of the rights on Real Estate, the registry of the boundaries, registry of the deeds, cadastral maps and registry of the of documents. The EGRN will register the land rights without the application of the owner or transferee. The procedure will be performed based on information received from notaries. The Law reduced duration of cadastral registration and registration of rights. For example, it constitutes 5 working days for the cadastral registration and 7 working days for registration real estate rights.

The Federal Law of the Russian Federation dated December 30, 2015, # 431-FZ “On geodesy, cartography and spatial data and on amendments to certain legislative acts of the Russian Federation” was issued to ensure the creation of national geodetic, levelling and gravimetric networks to carry out geodetic and cartographic works.

Owners of real estate objects, which are points of the above networks, are required to ensure their safety and notify the authorized body about all cases of damage or destruction. In addition, they must provide the possibility of performing to geodetic, cartographic and repair as well as restoration works.

According to the Law, the federal, departmental and regional spatial databases will be established. Access to these databases will be possible via the Internet. The state information system of maintenance of a unified electronic cartographic base will be introduced. The use of this information will be paid. In accordance with the article #32 of the Law, it came into force since January 1, 2017.

According to the Law, on January 1, 2017, were changed the names of licensed types of activities and reduced the list of types of geodetic and cartographical works of federal appointment, subject to licensing. Reissuance shall be subject to all existing licenses to conduct such work. The legislation also clarifies the education requirements related to the mentioned above activities.

Territorial bodies of the Rosreestr are issued licenses for execution of geodetic and cartographic works. Officials of the Rosreestr must supervise the licensing of geodesic and cartographic activities, carry out inspections and issue orders to eliminate violations.

Since January 1, 2017, a subject of licensing is determination of the parameters of the figure of the Earth and gravitational fields, the creation or updating of state topographic maps and plans, the creation of the state geodetic networks, leveling networks, gravimetric and geodetic networks special purpose networks, including networks of differential geodetic stations. Surveyor organizations must have a license to carry out works for establishment, modification and refinement of data related to the state border of the Russian Federation, borders between subjects of the Russian Federation and municipal boundaries. Other types of geodetic and cartographic works can be carried out without registration of the license.

The Federal Law of the Russian Federation issued on July 3, 2016, # 237-FZ “On State Cadaster Valuation” is focused on improving procedures of the cadastral valuation. It introduces the Institute of cadastral surveyors. The Law also transfers the authority on determination of cadastral value to state budget institutions, which will deal with cadastral valuation on a regular basis. According to the Law, these bodies should use a uniform methodology that will improve the quality of the state cadastral valuation. The Law was entered into force January 1, 2017. Article #19 of the Law devoted the peculiarities of conducting urgent cadastral valuation will enter into force on January 1, 2020.

The Federal Law of the Russian Federation issued on July 29, 2017, #217-FZ “On the conduct of the citizens of horticulture for their own needs and on amendments to certain legislative acts of the Russian Federation” introduces two legal forms of associations of property owners: horticultural and gardening non-commercial partnerships, created for horticulture and gardening as well as legal procedures for their formation.

The Law introduces a legal definition “garden house”. The Law treats it as seasonal building designed to meet citizens of household and other needs associated with their temporary stay in this building. The Law makes amendments to the Land Code of the Russian Federation by providing a uniform procedure for granting land plots in state or municipal ownership, on a noncompetitive basis. The mentioned above Federal Law will enter into force on January 1, 2019.

On July 29, 2017, the Federal Law of the Russian Federation issued on December 31, 2014, # 499-FZ “On amendments to the Land Code of the Russian Federation and certain legislative acts of the Russian Federation” as well as the Land Code of the Russian Federation were amended.

Amendments to the mentioned above legal acts were done based on adoption of the Federal Law of the Russian Federation issued on July 29, 2017, #261-FZ “On amendments to the articles 60 and 67.1 of the

Water Code of the Russian Federation”. The mentioned above amendments were focused on providing engineering protection of territories from flooding, destruction of coastal water bodies, waterlogging and other negative impacts.

Along with Federal Land Legislation, a significant development of Land Legislation has been done at regional level, for example, in the Republic of Kalmykia. The Republic of Kalmykia is located in the Southeastern edge of Europe. The Republic of Kalmykia is a part and subject of the Russian Federation.

The Republic of Kalmykia’s Land Legislation is based on the federal as well as local regulations such as the following legislative acts:

- The Law of the Republic of Kalmykia issued on April 9, 2010, #177-IY-Z “On regulation of land relations in the Republic of Kalmykia” amended on December 22, 2015;
- The Law of the Republic of Kalmykia issued on November 6, 2001, # 138-II-Z “On the administrative and territorial division of the Republic of Kalmykia” amended on September 27, 2010;
- The Resolution of the Government of the Republic of Kalmykia issued on November 27, 2014, #431 “On normative price of land”;
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INSTITUTIONAL FRAMEWORK

On December 25, 2008, in accordance with the President of the Russian Federation Decree #1847 “On the Federal Service of State Registration, Cadaster and Cartography”, the Federal Service of Real Estate Cadaster as well as the Federal Agency of Geodesy and Mapping were dissolved. According to the Decree, the Federal Registration Service was renamed into the Federal Service for State Registration, Cadaster and Cartography (Rosreestr). The functions of mentioned above agencies were transferred to the Rosreestr, which is now under authority of the Ministry of Economic Development of the Russian Federation. At regional level, local offices of the former Federal Service of Real Estate Cadaster as well as Land Cadaster Chambers were transferred to the Rosreestr.

An important role in providing the institutional framework for the development of Land Tenure in Russia plays the Federal Target Program “Development of the unified state system of registration of rights and cadastral registration of immovable property for 2014 – 2020” approved by the Resolution of the Government of the Russian Federation issued on October 10, 2013, # 903 and amended by the Resolution of the Government of the Russian Federation issued on December 22, 2016, # 1444.

The state customer and the program coordinator is the Ministry of Economic Development of the Russian Federation. The Government customers of the program are the Ministry of Communications of the

Russian Federation, the Federal Service on State Registration, Cadaster and Cartography (Rosreestr), the Federal Tax Service, the Federal Property Management Agency.

The super goal of the program is harmonization of land and property relations based on respecting the balance of interests, mutual responsibility and coordinated efforts of the Government, businesses and society, enabling the transition to innovative socially oriented type of economic development of the Russian Federation.

The objectives of the program are the following:

- Merging the unified state register of rights to immovable property and transactions with it and state property cadaster into a unified state information resource;
- Ensuring the provision of services on the principle of "one window" and the transition to assessing the quality of service;
- Improving the quality of these information resources to ensure investment attraction and enhance the efficiency of real estate taxation.

The total funding of program is amounted 27,100.65 million rubles, including:

- Expenses of the Federal Budget of the Russian Federation - 24,639.67 million rubles, including the Federal Budget subsidies to regional budgets of the subjects (regions) of the Russian Federation – 1,653.71 million rubles;
- Expenses of the regional budgets of the subjects (regions) of the Russian Federation – 2,460.98 million rubles.

The financing of the Federal budget of the Russian Federation has been allocated to the following government agencies in the amount of:

- The Ministry of Communications of the Russian Federation -557.4 million rubles;
- The Federal Service on State Registration, Cadaster and Cartography (Rosreestr)-18,296.23 million rubles;
- The Federal Tax Service-4,721.54 million rubles;
- The Federal Property Management Agency-1,064.5 million rubles.

Expected outcomes of the program implementation can be described as the following:

- The increase the number of the Russian Federation's regions which implemented the unified state register of immovable property up to 85 units;

- The increase the number of the Russian Federation’s regions which ensure the transition to the state system of coordinates from the local coordinate system adopted for conducting uniform state register of immovable property of up to 85 units;
- The increase the proportion of individuals who report positively on the quality of the work of the registration authorities in the total number of respondents to 90 percent;
- The reductions of waiting time in queues for applicants for uniform state register of immovable property information up to 10 minutes.

REGIONAL LAND POLICIES

Development of Land Tenure in the Russian Federation is mostly depended on Regional Land Policies. . One of the successful examples of them is the Republic of Kalmykia’s Land Policy. Land Policy is the main part of the Republic of Kalmykia’s Agricultural Policy included the following components: farm reorganization and land privatization as well as development of regional Agricultural Land Market.

The Republic of Kalmykia’s agricultural land was amounted 6,917.5 thousand hectares, or 92.6% of the total regional land in 2015(See Table 7). Here we can observe a unique trend of increasing area of agricultural land in 2010-2015.

Table 7. Land Categories, Republic of Kalmykia, 2010-2015

Item	2015		2010		2015/2010,%
	Area, 1000 hectares	%	Area, 1000 hectares	%	
Agricultural Land	6,917.5	92.6	6,885.2	92.1	100.5
Urban Land	62.4	.9	62.4	.9	100.0
Industrial Land	15.2	.2	15.0	.2	101.3
Special Protected Regime Land	121.6	1.6	121.6	1.6	100.0
Forest Land	60.2	.8	60.2	.8	100.0
Water Land	59.9	.8	59.1	.7	101.4
Reserve Land	236.3	3.1	269.6	3.7	87.6
Total	7,473.1	100.0	7,473.1	100.0	100.0

Source: Kalmykiareestr, 2016

Break down of the Republic of Kalmykia’s land is shown in Table 8. The most of agricultural land is pasture amounted 84.1 % of the total agricultural land of the region in 2015. The cropland was amounted 14.0 % of the total agricultural land of the region in 2015.

Table 8. Break down of the Republic of Kalmykia Land, 2015, 1000 hectares

Item	Total	Agri Land	Cropland	Idle Land	Perennial	Hay Field Land	Pasture
Agricultural Land	6,917.5	6,015.9	843.5	10.6	1.4	100.9	5,059.5
Urban Land	62.4	26.1	9.0	-	1.1	-	16
Industrial Land	15.2	2.5	-	-	-	-	2.5
Special Protected Regime Land	121.6	32.9	-	-	-	.5	32.4
Forest Land	60.2	19.6	2.2	-	-	.6	16.8
Water Land	59.2	4.8	-	-	-	-	4.8
Reserve Land	236.3	215.1	1.6	-	-	1.9	211.6
Total	7,473.1	6,316.9	856.3	10.6	2.5	103.9	5,343.6

Source: Kalmykiareestr, 2016

The dominant role in the Republic of Kalmykia's land tenure still plays the state and municipal land ownership. It amounted 5,966.8 thousand hectares, or 79.8% of the total land area of the region in 2015. The private owned land amounted 1,502.1 thousand hectares, or 20.1% of the total land area of the region in 2015. The share of land owned by legal entities was negligible in the region in 2015.

The private land ownership plays an important role in the regional agriculture (See Table 9). The area of the private land ownership amounted 1,494.8 thousand hectares, or 21.6% of the total agricultural land area of the region in 2015.

But the main role in the Republic of Kalmykia's agricultural land tenure still plays the state and municipal land ownership. It amounted 5,418.8 thousand hectares, or 78.3% of the total agricultural land area of the region in 2015.

Table 9. Land Tenure, Republic of Kalmykia, 2015, 1000 hectares

Item	Total	Land Ownership			
		Private	Legal Entities	State and Municipal	Including ownership of the Russian Federation
Agricultural Land	6,917.5	1,494.8	3.9	5,418.8	116.8
Urban Land	62.4	7.3	.3	54.8	1.1
Industrial Land	15.2	-	-	15.2	3.9
Special Regime Land	121.6	-	-	121.6	121.1
Forest Land	60.2	-	-	60.2	58.5
Water Land	59.9	-	-	59.9	22.1
Reserve Land	236.3	-	-	236.3	-
Total	7,473.1	1,502.1	4.2	5,966.8	323.5

Source: Kalmykiareestr, 2016

The main role in the Republic of Kalmykia's agricultural land use plays joint stock companies and partnerships as well as production coops (See Table 10). In general, parastatals occupied 2,035.1 thousand hectares, or 29.4 % of the total agricultural land area of the region in 2015. Joint stock companies and partnerships occupied 733.8 thousand hectares, or 10.6% of the total agricultural land area of the region in 2015. They have also used the most of the agricultural land shares (88.0%) rented by parastatals in the Republic of Kalmykia. The share of state and municipal owned lands used by these businesses amounted 96.0% of their total area in 2015. Production coops occupied 979.5 thousand hectares, or 14.2% of the total agricultural land area of the region in 2015. The share of state and municipal owned lands used by production coops amounted 99.3% of their total area in 2015.

Table 10. Land Use of Parastatals, Republic of Kalmykia, 2015, 1000 hectares

	Item	Area	Land Leasing	Land Ownership of Legal Entities	Land Shares	State and Municipal Land Ownership
1	Joint stock companies and partnerships	733.8	4.1	.1	24.9	704.7
2	Production coops	979.5	-	3.8	3.4	972.3
3	State and municipal enterprises	153.7	-	-	-	153.7
4	Research Institutions	30.6	-	-	-	30.6
5	Others	137.5	-	-	-	137.5
	Total	2,035.1	4.1	3.9	28.3	1,998.8

Source: Kalmykiareestr, 2016

The main role in the Republic of Kalmykia's private agricultural land tenure plays land shares. The total land shares area amounted 1,102.8 thousand hectares, or 79 % of private land area (See Table 11).

Table 11. Land Use of Private Farms and Citizens, Republic of Kalmykia, 2015, 1000 hectares

	Item	Total Land Area	Private Ownership	State and Municipal Ownership	Others	Including Land Shares
1	Private Farms	2,845.3	53	2,727.4	64.9	33.9
2	Individual Entrepreneurs	2.9	-	2.9	-	-
3	Personal Subsidiary Farms of Citizens	7.8	1.7	6.1	-	-
4	Horticulture	1.3	1	.3	-	-
5	Individual Housing	5.4	3.8	1.6	-	-
6	Livestock Farms	1	.4	.6	-	-
7	Land Plots Owners	232.8	232.8	-	-	-
8	Land Shares Owners	1,102.8	1,102.8	-	-	-
	Total	4,199.3	1,395.5	2,738.9	64.9	33.9

Source: Kalmykiareestr, 2016

The main role in the private land use plays private farms. They used 2,845.3 thousand hectares, or 67.8 % of private land use area in 2015. But the most of the land area (95.8%) used them was the state and municipal land in the region in 2015.

In 2015, there were 2,956 private farms in the region (See Table 12). As we can see from the Table 12 the number of private farms in the Republic of Kalmykia increased in 2015 compared to 1992 by 10.1 times. The land area occupied by private farms in the region increased in 2015 compared to 1992 by 16.9 times. The average size of the private farm was amounted 962 hectares in the Republic of Kalmykia in 2015. It increased in 2015 compared to 1992 by 67.3% due to land consolidation based on renting and buying of agricultural land shares.

Table 12. Private Farms, Republic of Kalmykia, 1992-2015

Item	1992	2010	2011	2012	2013	2014	2015	2015/1992, %
Number of farms	292	2,796	2,719	2,756	2,794	2,934	2,956	10.1 times
Total land area, 1000, ha	168	2,149.2	2,338.9	2,415.3	2,532.8	2,715.0	2,845.3	16.9 times
Average land size, ha	575	769	860	876	906	925	962	167.3

Source: Kalmykiareestr, 2016

In the Republic of Kalmykia we can observe a unique trend, which is in the increase in the number of private farms and their average size. As a rule, the increase in the average farm size is accompanied with decreasing in their number.

CONCLUSION

The following measures must be implemented to strengthen the organizational as well as institutional sustainability of Land Tenure development in the Russian Federation:

- Land Tenure Legislation must be revised and improved both at the federal as well as regional level;
- The institutional framework for implementation of “Landlord-Tenant” system must be improved both at the federal as well as regional level too;
- The Agricultural Land Auctions must be introduced to stimulate development of Agricultural Land Market and Agricultural Land Consolidation in the regions of the Russian Federation;
- The training and retraining programs related to Land Tenure development issues must be introduced;

- The public relation campaign to strengthen people’s ability to understand the role and importance of Land Tenure development must be initiated;
- The pilot projects focused on Land Tenure development should be launched in some of the regions of the Russian Federation to make demonstration effect;
- The Land Tenure development experience should be collected, scrutinized and disseminated.

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