Problems of protection of agricultural land in the Russian Federation

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Abstract. The article describes the concept and meaning of agricultural land, reveals the main problems of their misuse. The current methods of monitoring compliance with the norms of land, civil and administrative legislation of the Russian Federation on the targeted use of agricultural lands are considered. The content of the institute of compulsory seizure of a land plot as a sanction of land liability in Russia and the countries of the Eurasian Economic Union is revealed. Methods of identifying the misuse of agricultural land, their effectiveness, as well as measures of state response to the phenomenon under consideration are analyzed. The author considers the measures of responsibility applied to persons who violate the legislation governing the rational use of agricultural land in the Russian Federation. It is concluded that the mechanism of state response to the facts of non-use or irrational use of agricultural land has certain disadvantages. Possible ways of solving the posed problems are suggested.

Keywords: agricultural land, non-purpose use, agro-industrial complex, legal regulation, land protection

1 Introduction

The problem of food security in terms of its relevance, scale, social consequences is one of the most serious challenges of our time and requires urgent and effective measures to be taken to resolve it.

Today, global food indices are at their highest levels in the last ten years. The rise in food prices is a global trend, one of the reasons for which is the aftermath of the coronavirus pandemic, production cuts and job cuts. The Russian market, being part of the global economy, also suffered from these consequences. It should be noted that in the Russian Federation, vegetables and fruits are currently produced in an insufficient volume for domestic consumption. The state is forced to import a lot of food products due to their shortage.

As a response to the current economic problem, both in the world community and in individual states, the development of a more effective agricultural policy should act. One of the aspects of increasing the efficiency of the agricultural sector is the search for additional resources in order to increase food production. These resources include agricultural land, in particular, arable land, the main potential of which is concentrated in Russia.

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In the Russian Federation, there are 400 million hectares of agricultural land (23.5% of the total land fund). They include agricultural land occupying 194.4 million hectares (including 121.8 million hectares of arable land). It should be emphasized that 9% of the world's productive arable land and more than 50% of chernozems are concentrated in Russia, which indicates significant reserves for increasing food production for its own needs and for export.

The potential of arable land in the world, in addition to the Russian Federation, is concentrated in only a few states: the United States (175 million hectares), India (162 million hectares), China (144 million hectares), Brazil (59 million hectares), Australia (51 million hectares) and Canada (46 million hectares) [1].

Russian legislation establishes the scope of agricultural land (Fig. 1).

**Fig. 1.** Use of agricultural land in Russia.

Taking into account the areas of activity permitted by law, it should be noted that, for example, unauthorized construction of various infrastructure facilities, residential buildings, organization of a warehouse, blockage with garbage will be considered a violation. The result of such violations is a change in the land regime. Actions of this kind should be qualified as misuse of agricultural land.

The increased number of irrationally used and unused agricultural lands is explained by the imperfection of the mechanism of legal regulation of the use and turnover of these lands. In particular, we are talking about the inconsistency and untimeliness of updating the legal framework governing the issues under consideration. Also, there are no necessary scientific developments, including those aimed at analyzing foreign experience in regulating agrarian-land relations.

It seems necessary to form a system of legal instruments containing:
- a clear definition of proper and improper use of agricultural land;
- consolidation in legislative acts of specific, evidence-based criteria that allow, on the basis of objective indicators, to judge whether there is a fact of improper use;
- an effective and detailed procedure for identifying such facts;
- a set of consistent and proportionate response measures in case of revealing the fact of improper use of this category of land.

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2 Methodology

Methods used in the study: methods of systematization and generalization, comparative method, methods of induction and deduction.

3 Results of the research

Agricultural land is land that is outside the boundaries of the settlement and provided for the needs of agriculture, as well as intended for these purposes. These lands constitute the first category of lands, because they are of the greatest value, provide people with food, are difficult to restore and are practically non-renewable. Without the development of agriculture, the country's food security will always be at a low level. The rate of restoration of agricultural lands is inferior to the rate of their use in economic activities, which confirms the fact that they are difficult to restore and non-renewable. In this regard, it is important to pay special attention to the protection of these lands.

The main problems of agricultural land turnover, subject to scientific understanding and the development of legal proposals for their solution, are a large array of agricultural land not involved in the turnover and the absence of mechanisms that ensure the transition of agricultural land in the process of their turnover to an efficient agricultural producer. To solve these problems, it is proposed to carry out the following organizational and legal measures based on the relevant decisions of the federal legislator:
- registration of all agricultural land not involved in civil circulation and the creation of a publicly accessible database on land plots free from the rights of third parties from agricultural land;
- reduction of the amount of payment for rent and acquisition of ownership of the specified land plots, simplification, if possible, of the procedure for transferring rights to a new owner or lessee;
- settlement of the issue of financing of work to improve soil fertility of unproductive land plots from agricultural lands;
- oblige an agricultural producer to draw up a long-term plan for the use of a land plot from agricultural land on the basis of the rules for the proper use of land;
- prohibit the quick resale of a land plot from agricultural land;
- to provide land plots from agricultural land, which are in state or municipal ownership, to citizens and legal entities in ownership according to the results of the competition (the
winner of the tender will be recognized as the person who will offer the best conditions for the rational and efficient use of the provided agricultural land in the long term).

4 Discussion of results

4.1 The concept and meaning of agricultural land

Agricultural land is land that is outside the boundaries of the settlement and provided for the needs of agriculture, as well as intended for these purposes. These lands constitute the first category of lands, because they are of the greatest value, provide people with food, are difficult to restore and are practically non-renewable. Without the development of agriculture, the country's food security will always be at a low level. The rate of restoration of agricultural lands is inferior to the rate of their use in economic activities, which confirms the fact that they are difficult to restore and non-renewable. In this regard, it is important to pay special attention to the protection of these lands.

Agricultural lands, due to their importance, need special protection. The main value of agricultural lands is their soil layers. Soil is the main means of production in agriculture. Its indisputable significance lies in the fact that it has such a distinctive feature as the property of fertility. Compared to other means of production, soil does not deteriorate when used correctly. On the contrary, with rational use and careful attitude, its fertility increases and its value, respectively. Soil also belongs to irreplaceable natural resources due to the fact that there is no other natural resource in the surrounding world that could replace the soil in full as a means of agricultural production. For this reason, it is important to prevent deterioration of the soil condition, negative impact on it and to carry out procedures for its restoration. That is why the norms of land law oblige all land users and land owners to carefully use the land plots provided to them and to increase their soil fertility [2].

Land users and owners of agricultural land are obliged to protect agricultural land from negative environmental impact and take measures to restore the fertility of these lands.

Agriculture is the basis for the existence of any state and society, and also represents the most important and integral branch of the economy. Any state, in turn, needs products that it can supply and provide for itself. The production of products is directly related to the productivity and efficiency of agriculture. Agricultural lands are of socio-economic importance and indispensability as a means of production in agriculture. Legislative regulation of the handling of lands of this category seems to be broader in comparison with other categories. This causes the allocation of land suitable for agriculture in a separate category. The state especially monitors the efficiency of the use of agricultural land. Undoubtedly, agricultural lands, which are subject to special protection, have a priority and greater value in the composition of agricultural land. For this reason, the state, first of all, pursues the goal of preserving valuable land in agricultural production, to minimize their withdrawal for provision for purposes not related to agriculture.

In particular, arable land provides about 90% of food in the form of grown agricultural products (vegetables, fruits, etc.), raw materials for the food industry (grain, flax family, etc.), animal feed providing meat and milk. [3]

All this ensures a favorable living environment for citizens. Currently, the state follows the system of human development and “human health is the primary element” in this system, which cannot be realized without a favorable human environment.

The procedure for concluding transactions with agricultural land is an important element in the chain of conservation and rational use of this category of land and is regulated by a special Federal Law “On the turnover of agricultural land”. This regulatory
legal act regulates in detail the specifics of only two such transactions, purchase and sale and lease.

Further, it is necessary to analyze in detail the legal status of agricultural lands, which, due to various circumstances, are not used and are subject to return to the state [4].

During the collapse of the USSR, most of the collective farms ceased to exist and were reorganized as a result of privatization into other forms of ownership, such as municipal, private. So, at present, many citizens of the Russian Federation remain in the ownership of agricultural land and, for various reasons, they cannot use them for their intended purpose. And the Law on the Turnover of Agricultural Lands directly defines that the first principle of the turnover of agricultural land is the principle of preserving the intended use of land plots [5]. The owners of such lands are obliged to involve them in agricultural circulation, but due to various kinds of circumstances they cannot do this.

Then the question arises, what to do with this category of land?

The owners of agricultural land have the right to sell these lands.

But since in Russia, in comparison with other sectors of the economy, agriculture is largely uncommon, a small number of people express a desire to buy land of this category. And due to these circumstances, at present, the owners of agricultural land are returning unused lands of this category of land to the state.

There are two ways in which the owners of agricultural land can alienate their land plots: compulsory repossession and voluntary gratuitous refusal. These methods have their own characteristics and play an important role in regulating the issue of agricultural land turnover.

In case of compulsory seizure, restrictions are imposed on the site, and it is put up for auction. The difficulty is that this process can take a long time. There are not many deals at the moment, and it will be difficult to sell the plot.

In the event of a voluntary renunciation of agricultural land in favor of the state, according to the Land Code of the Russian Federation, the owner of the land plot shall submit an application for such a refusal to the registration authority. The ownership right to this land plot is terminated from the date of state registration of the termination of this right [6].

Forced withdrawal of agricultural land or voluntary refusal is a forced measure for those who do not plan or cannot use agricultural land for its intended purpose. At the same time, due to long-term non-use of lands of this category, a citizen will be obliged to pay a fine in the amount established by Article 8.8. Administrative Code of the Russian Federation, which is a negative consequence for the owners of these lands. In this regard, the alienation of agricultural land in favor of the state due to non-use due to various circumstances will be expedient and favorable for the owners of these land plots.

Consideration should also be given to transferring agricultural land to another category of land, in particular, to the land of settlements. In this case, the demand for this category of land will increase, the price and value, respectively.

However, the transfer of agricultural land has its own characteristics and exceptions.

Land legislation provides for certain cases of transferring agricultural land to another category. However, in this list there is no case of transfer due to long-term non-use of such lands. For this reason, the transfer of agricultural land to land of the category of settlements is impossible.

The transfer of agricultural land to a different category will serve as the basis for a decrease in the area of this category of land. Then the question arises about the preservation of agricultural lands, their significance and value. Soil is the main means of production in agriculture. Its undeniable value lies in the fact that it has such a feature as the property of fertility.
The soil is depleted, and at the same time it is not a renewable resource, its losses are not reimbursed over the course of a human life. It should also be noted that the formation of a 1 cm thick layer of soil from the parent rock can take a very long time, while the loss of this centimeter soil layer can occur due to erosion in as little as one year. That is why the soil is subject to protection and special protection [7].

Thus, agricultural lands are of undeniable importance both for the state and for the population as a whole. The main value of agricultural lands is their soil layers, which have the property of fertility. In this regard, it is important to prevent deterioration of the soil condition, negative impact on it and to carry out procedures for its restoration. As the main means of production in agriculture, agricultural land forms the basis of the country's economy and is of socio-economic importance. Agricultural lands, which are subject to special protection, are predominant in the composition of agricultural land. For this reason, the state is guided by the task of preserving valuable land in agricultural production. It should also be noted that further legal regulation of the issue of the turnover of agricultural land is needed. In particular, it is necessary to legislatively regulate the issue of the legal status of agricultural land, which, due to various circumstances, are not used and are subject to return to the state.

4.2 Compulsory seizure of a land plot as a sanction of land liability in Russia and the countries of the Eurasian Economic Union

Forced seizure of a land plot, as a rule, is a reaction of the state, represented by its authorized bodies, to a committed land offense. Preliminary, we note that, firstly, the seizure of a land plot is not always associated with the illegal behavior of its owner (for example, seizure for state or municipal needs, requisition). There are known cases of forced seizure of plots when their owners did not commit land offenses (provision of limited or withdrawn from circulation plots or provision in violation of the established procedure). In these situations, violations took place, however, property rights to plots were deprived of their owners, who did not formally violate the law. Secondly, in this case, the question of the type of the owner's rights to the land plot (real, including ownership, or obligatory) is not fundamental in this case.

Our tasks include analyzing the updated Russian land and civil legislation and the practice of its application in terms of regulating the seizure of land plots, as well as considering similar situations in some countries of the Eurasian Economic Union.

It should be noted that the land legislation for a number of years contained norms that allowed the seizure of land plots from unscrupulous owners. During the Soviet period, in accordance with paragraph 5 of Art. 14 of the Fundamentals of Land Legislation of the USSR and the Union Republics, business entities could lose their rights to land plots if they were not developed for two consecutive years [8].

The same document in Art. 50 contained a list of offenses, the commission of which also entailed the termination of land legal relations. The plots could be withdrawn in case of: mismanagement of land or use in order to extract unearned income; damage to agricultural and other land, land pollution with waste and sewage; failure to take mandatory measures related to land improvement, protection of soils from negative processes that worsen their condition (wind, water erosion, etc.).

The wording of the grounds for the termination of rights enshrined in the 1991 Land Code of the RSFSR has partially changed over time, although a number of them were much stricter than those currently in force.

In addition to the misuse of land plots, this Land Code provided for liability for a decrease in soil fertility, expressed in a decrease in actual yield, for changing the
The composition of farmland by converting more valuable to less valuable, as well as for the use of land in ways that lead to a deterioration of the ecological situation.

The composition of the offense was established, which was expressed in the systematic failure to pay the land tax and rent. The period during which the plot provided from agricultural land was subject to development was also more stringent. This period was one year.

For other non-agricultural purposes - two years, regardless of the category of land.

On July 3, 2016, amendments were made to Russian legislation related to the compulsory seizure of land plots. The novellas are quite voluminous, so we will dwell only on some of them. The law gave a new formulation of the grounds for the compulsory seizure of land plots.

If earlier it was about their improper use (the vagueness of this formulation itself aroused objections), then the new edition speaks of the misuse or use of the land plot in violation of the law. At the same time, when it comes to violations, they mean a significant decrease in soil fertility or causing harm to the environment as a basis for the compulsory seizure of a land plot [9].

The criteria for a significant decrease in the fertility of agricultural lands are established by the Decree of the Government of the Russian Federation of July 22, 2011 No. 612. As for causing harm to the environment, its size, according to the legislator, should be determined by the Federal Law "On Environmental Protection", which interprets such harm as negative changes in the environment, resulting in the degradation of natural ecological systems and depletion of natural resources. In this regard, the Ministry of Natural Resources and Ecology of the Russian Federation issued an order dated July 8, 2010 No. 238 "On the Approval of the Methodology for Calculating the Amount of Damage Caused to Soils as an Object of Environmental Protection".

As for the "violation of the law" as a basis for the seizure of a land plot, even if we are talking only about land legislation, it includes a significant number of types of offenses, and not only misuse of the site and environmental pollution. So, for example, Art. 45 of the Labor Code of the Russian Federation, along with causing harm to the environment, calls damage to land, without associating these two types of violations of land legislation, entailing the possibility of forcible termination of rights to land plots. Moreover, damage to land is recognized as an administrative offense in accordance with Art. 8.6. The Code of Administrative Offenses, is expressed, for example, in the destruction of the fertile soil layer, violations of the rules for handling pesticides, agrochemicals and other substances hazardous to human health and the environment, as well as production and consumption waste. Damage to the land, as you know, is also recognized as a crime [10].

The Criminal Code of the Russian Federation reveals the nature of the objective situation associated with its commission, as well as the collision with the conditions for delimitation from an administrative offense, acting as the consequences of their commission.

Such types of land offenses as a decrease in soil fertility and failure to comply with mandatory measures to improve land and protect soil are not equated with each other.

From the above analysis, it can be concluded that the legislator again proposed an incorrect formulation of the grounds for the compulsory seizure of land plots, significantly narrowing the scope of this type of termination of rights to land.

Let us analyze a number of legal situations that characterize the application of the sanction of land legal responsibility in the form of compulsory seizure of a land plot.

First of all, we note that the objective side of the acts for the commission of which this type of punishment is established depends on the categories of land, which, in turn, are determined depending on the intended purposes of their use. The order of the land plot...
withdrawal may depend on the land category. At the same time, a number of signs of the objective side are characteristic only in relation to a specific category of land [11].

Agricultural land is the most vulnerable. It is known that the agrarian and land reform, begun in the 90s. XX century, did not achieve the intended results. As noted in the literature, in our country over the past 25 years of economic use, about 50 million hectares of agricultural land have been abandoned, and this process is still developing, which indicates serious shortcomings in the regulation of this sector of the economy. In this regard, amendments have been made to the legislation related to the procedure for the withdrawal of lands that are used inappropriately.

One of the most common offenses concerning the use of all land, including agricultural land, is their misuse and non-use within the time limits established by law or legal documents.

The first reason for the non-use of agricultural land is the lack of adequate state support for the agricultural sector until recently, as a result of which a part of agricultural producers went bankrupt. The land, including that which is in shared ownership, has therefore ceased to be cultivated. However, in this case, it is precisely the non-use of plots that forms an independent composition of a land offense.

The second reason, which the researchers point to, seems to be more dubious.

A significant area of agricultural land is not used, not because of financial difficulties faced by copyright holders, but solely because of speculative interests. We are talking about the redemption of land shares in suburban farms for their resale either for cottage development, or for the construction of large suburban shopping malls and other construction.

The doubtfulness of this thesis lies in the fact that, firstly, the legislation of recent years has established a number of significant restrictions on the purchase of land shares. Secondly, no one has canceled the principle of targeted use of land, therefore, for the purposeful re-profiling of a site, it is necessary to transfer land from one category to another, otherwise the new owners will not be able to register the buildings they have erected. This procedure is quite complicated, although the Federal Law of December 21, 2004, No. 172-FZ "On the transfer of land or land plots from one category to another" allows the transformation of the purpose of using the site, for example, due to changes in the boundaries of a settlement, etc. Although, in fairness, we note that the sale of agricultural land and the construction of various kinds of real estate on them, from cottages to shopping centers, often took place in practice.

However, and this is already the third objection, the land plots adjacent to the borders of settlements, in aggregate, can hardly make up such an impressive area, which is measured by unused farmland in Russia. In this regard, it is the financial insolvency of agricultural producers that is, in our opinion, the main reason for the non-use of farmland [12].

Another reason for not using such land is the difference in the quality of land plots allocated against land shares. Often, a number of land plots are located inconveniently, have a low level of fertility, due to which they are not rented by either farmers or collective farms.

It should be noted that the qualification of misuse of agricultural land plots is not always uniform, due to which the court decisions on this category of land disputes also differ. For agrarian regions, the plowing of pastures has become a fairly typical phenomenon. At the same time, the courts, following the supervisory authorities, qualify this act in different ways.

The problems we are considering are important not only from the point of view of improving Russian legislation and the practice of its application, but also from the standpoint of improving the investment climate in Russia, especially in the context of dynamically developing integration relations within the EAEU. Economic integration
implies cross-border interpenetration of capital, labor resources, practices, technologies, and the like, in which situations are quite typical and even the most desirable when a resident of another state is engaged in economic activity on the territory of one country. At the same time, the factor that comes to the fore is that, if we are talking about agriculture or other types of land use, a non-resident investor must fulfill the requirements of another state in the territory of which he carries out this activity in carrying out his activities. Hence, it is clear that such complex and even "painful" institutions of land legislation, such as the compulsory seizure of land plots, can be a serious obstacle to foreign investment. It is unlikely that an agricultural producer or non-resident developer will want to risk the money invested in a foreign project only because the land plot provided for its implementation on the territory of a foreign state can be withdrawn at any time for not entirely clear and sometimes controversial reasons. The investor, naturally, seeks guarantees of maximum stability and observance of his property interests in the implementation of land use on the territory of another state.

Therefore, a country wishing to attract foreign investment in agriculture, construction and other sectors related to the use of land plots needs the utmost clarity and transparency of the relevant legislation, so that the investor is sure that the previously granted plot will not be taken away from him on grounds that will not be fully understood by him.

In this regard, it is worth noting that none of the countries currently members of the EAEU has balanced the institution of compulsory acquisition of land plots to such an extent as to ensure the attractiveness of the relevant areas of land use for foreign investment for the most effective economic integration.

In Appendix No. 2 to the Protocol on Trade in Services, Establishment, Activities and Investments ("List of retained by states - members of "horizontal" restrictions in relation to all sectors and types of activity ") to the Treaty on the Eurasian Economic Union (Astana, 05/29/2014), which is the legal basis for the EAEU.

An interesting example is Art. 23 of the Land Code of the Republic of Kazakhstan dated 20.06.2003 No. 442-II, which prohibits the ownership of land plots located in the border zone of Kazakhstan, not only to foreigners, stateless persons and foreign legal entities (in this this norm converges with a similar the norm of Russian legislation), but also to citizens of the Republic of Kazakhstan who are married to foreigners or stateless persons. Thus, marriage with non-citizens of Kazakhstan entails a defeat for citizens of Kazakhstan in some land rights. The specified norm states that if such persons fail to fulfill the obligation to alienate a land plot or to re-register it to another right allowed by law, the local executive body "files a claim for the return of the land plot at its location." This is a rather strange formulation, given that a land plot is immovable and, strictly speaking, cannot be returned to its location, since it does not leave this “place” by definition. Here it would be more correct to speak just about the seizure of a land plot or the termination of the right to use it [13].

Clause 3 of Art. 13 of the RF Labor Code prohibits non-residents of the Russian Federation from owning land in border areas.

Recently, the Decree of the President of the Russian Federation of 03/20/2020 was adopted. No. 201 "On amendments to the list of border areas where foreign citizens, stateless persons and foreign legal entities cannot own land plots, approved by Decree of the President of the Russian Federation dated January 9, 2011 No. 26". This document expanded the list of border areas with 27 municipalities of Crimea and Sevastopol, which included all cities and districts of these new regions of the Russian Federation (Simferopol, Yalta, Kerch, Sudak, etc.). In addition, by this decree, the list of border territories was expanded by a number of municipalities of the Kaliningrad and Astrakhan regions. Considering the fact that the Astrakhan region borders on the Republic of Kazakhstan, it becomes clear that this novel affects the property interests of a large number of residents of
this country, who will need to get rid of land ownership in the new border territories of Russia. At the same time, Russian legislation implies that the owner of a plot, who is now prohibited from owning it by law, will voluntarily get rid of such a plot by selling it or otherwise alienating it.

In practice, there are cases when the owner refuses to do it voluntarily. It is noteworthy that Russian legislation does not regulate the procedure for the compulsory seizure of a land plot in this case, and there is even no responsibility for the illegal possession of a land plot on the basis of ownership, which could stimulate the owner to voluntarily terminate such a right. It is obvious that Russia should develop a procedure for the compulsory seizure of land plots from their non-resident owners in the border territories of the Russian Federation with mandatory material compensation in such a forced infringement of their property interests.

Thus, it is necessary to conclude that the institution of compulsory seizure of a land plot in Russia and other EAEU countries needs further improvement. Moreover, legislative work in this area should be carried out taking into account the goals of economic integration within the EAEU, that is, not by each state separately, but by joint efforts - through the harmonization of land legal institutions designed to ensure effective economic rapprochement between the allied countries.

4.3 Some problems of prosecution for misuse of agricultural land

Actions leading to a change in the regime of agricultural land should be qualified as non-purpose use of agricultural land. The legislation does not establish a term for committing an offense, which determines as a key factor the establishment of the presence of non-purpose use of an agricultural land plot.

In the Russian Federation, control over compliance with legislation on the intended use of agricultural land is entrusted to a number of authorities. These authorities conduct scheduled and unscheduled inspections aimed, among other things, at identifying the misuse of agricultural land. In addition, the fact of misuse of lands protected by law may be revealed due to an audit initiated by the prosecutor's office or the Federal Tax Service. Also, the basis for the inspection may be complaints from the owners of neighboring plots. The legislation of the Russian Federation provides for liability for the misuse of agricultural land. As a punishment, the authorities may forcibly confiscate a land plot from the owner if the land plot is used in violation, resulting in a significant decrease in soil fertility of protected lands or causing harm to the environment. In addition, it is possible to impose an administrative fine on the offender.

Agricultural land, in addition to its intended purpose, may also be subject to zoning. The right to carry out land management works and develop a classification of types of permitted use of agricultural land belongs to the local authorities of municipalities and regions [14].

In this regard, it can be concluded that the owners of land plots have restrictions: the use of land for its intended purpose (for example, agricultural land) and the type of permitted use of the land (these rules are established by local authorities).

If the land is not suitable for agricultural work, then a change in purpose is required. But in order to change the target category of land, it is necessary to prove and justify the need for such a change. After that, you need to carry out cadastral and land management work. And only then enter information about the change in the category of land in the state cadastre of real estate.

As we can see, the organization of work on the identification by the authorized bodies of the misuse of agricultural land in the Russian Federation is being carried out. The authorities carry out inspections, identify non-use or misuse of agricultural land. Judicial practice in this area is quite voluminous and interesting. The courts are actively making
decisions both on the withdrawal of land plots and on the imposition of fines. But the widespread use of judicial practice can be both a plus and a minus, since it can indicate that the sanctions applied to violators are insignificant.

The main problems of agricultural land turnover, subject to scientific understanding and the development of legal proposals for their solution, are a large array of agricultural land not involved in the turnover and the absence of mechanisms that ensure the transition of agricultural land in the process of their turnover to an efficient agricultural producer [15]. To solve these problems, it is proposed to carry out the following organizational and legal measures based on the relevant decisions of the federal legislator:

- registration of all agricultural land not involved in civil circulation and the creation of a publicly accessible database on land plots free from the rights of third parties from agricultural land;
- reduction of the amount of payment for rent and acquisition of ownership of the specified land plots, simplification, if possible, of the procedure for transferring rights to a new owner or lessee;
- settlement of the issue of financing of work to improve soil fertility of unproductive land plots from agricultural lands;
- oblige an agricultural producer to draw up a long-term plan for the use of a land plot from agricultural land on the basis of the rules for the proper use of land;
- prohibit the quick resale of a land plot from agricultural land;
- to provide land plots from agricultural land, which are in state or municipal ownership, to citizens and legal entities in ownership according to the results of the competition (the winner of the tender will be recognized as the person who will offer the best conditions for the rational and efficient use of the provided agricultural land in the long term).

5 Conclusions

Today, global food indices are at their highest levels in the last ten years. As a response to the current economic problem, both in the world community and in individual states, the development of a more effective agricultural policy should act. One of the aspects of increasing the efficiency of the agricultural sector is the search for additional resources in order to increase food production. These resources include agricultural land, in particular, arable land, the main potential of which is concentrated in Russia.

Agricultural lands as an object of legal relations are a unique natural resource that is depleted in case of improper use and requires high costs to restore their fertility/ To suppress and prevent the aforementioned negative phenomena in agricultural land use, the application of liability measures to persons committing land offenses, a system of legal instruments is needed to ensure the effective operation of the mechanism of state response to the facts of non-use or irrational use of agricultural land plots.

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