

Land Administration System in Russian Federation

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Key words: land administration, market economy, land management, land resources.

SUMMARY

Principle source of economic and social development of Russian Federation in XXI century will be the sphere of rational land use and potential of land resources will become the main link of the economic growth of the state.

The paper represents the principal tasks of Federal Real Estate Cadastre Agency such as keeping of the state land cadastre, state cadastre registration of plots and real estate objects, organization of land management, state cadastre estimation of lands, monitoring of lands, state control over land use and protection of lands.

The paper considers the changes, which have taken in Russia since the transition to the market economy including changed forms of property of land, land relations and mechanisms of regulations, which required the development of new system of land management of the country.

In conclusion the paper emphasizes the importance of organization of modern Land Administration system in Russia on the basis of reasonable combination of the state support of the development of rational utilization of lands and protection of lands and the market mechanisms of economy functioning.

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Russia is the largest country in the world in relation with its territory. Potential of land resources of Russia includes 1709,8 million hectares of land and 420 million hectares of continental shelf, 'this is 12,9% of the world's dry lands. Forest square is 21% of the world's forest territories, specific gravity of arable lands is 9,5% of the world's ploughed lands.

Russia holds 55% of the world's territories with the most fertile black soil, disposes 50% of the world's resources of fresh water and 60% of the world's softwood resources, produces 25% of the world's gas fuel output, 9,2% of liquid fuel and 7% of solid fuel. Explored reserves of power resources in the bowels of earth in the territory of Russia are about 30% of the world's reserves.

As scientists consider, capacity of territorial space of Russia relating to its biological and climatic potential can provide normal conditions of life for 1,0-1,3 billion people, that is 7-9 times as much as existing population.

In connection with this the principal source of economic and social development of Russian Federation in XXI century will be the sphere of rational land use and potential of land resources will become the main link of the economic growth of the state.

In the end of XX century Russia started transition to the market economy what changed existing land relations and forms of utilisation of land, land use.

The following changes have taken place within the period 1991 - 2005.

1. SUCCESSFUL TRANSITION FROM THE SOLE STATE-OWNED PROPERTY OF LAND TO VARIOUS FORMS OF LANDED PROPERTY

Federal property, property of subjects of Federation, municipal, private.

At present there are 112 million owners of real estate, including 43 million owners, holders and users of land plots in Russian Federation. 129,6 million hectares of land are in private possession, 125,9 million hectares of which (97,2%) belong to agricultural lands.

Every owner receives titles certifying his rights to land plots and all plots are registered. The system of property, land registration guaranteed by the state. 113,3 million hectares of all agricultural lands in private use consisted of land shares, belonging to 11,9 million owners. 290 thousand people allotted own land plots as such in the territory of 3,6 million hectares. The rest granted own plots on lease (70,8%) to agricultural enterprises or invested to nominal capital of such enterprises.

2. LAND USE REQUIRES PAYMENT BEGINNING FROM 1992

Amount of collected land taxes constantly increases. If in 1999 total amount of collected land taxes was 18 billion rubles, in 2002 it was 25,3 billion rubles, in 2004 it was already 46,6

billion rubles. Land taxes in total amount of federal taxes regarding utilisation of natural resources is 50%.

3. CIVIL TURNOVER OF LAND PLOTS STARTED

4,4 million transactions with land plots covering the territory of 70,5 million hectares were implemented in 2004, more than 83,8% of which were transactions of lease. Citizens and legal persons implemented 358 thousand transactions of sales and purchase regarding land plots covering the square of 123 thousand hectares. To compare with, 292 thousand transactions of sales and purchase regarding land plots covering the square of 45 thousand hectares were implemented in 1999.

It is supposed that in connection with Federal Law "On turnover of agricultural lands" which was approved on 24.07.2002 and came into force on 27.01.2003, land market in the country side should broaden considerably.

4. THE STRATUM OF PEASANT (FARMER'S) FARMS HAS FORMED

In 2005 there were 275,4 thousand such farms. They used 14,5 million hectares of land. Farms covered 6% of the whole territory of agricultural lands of the country but produced less than 2% of gross production of agriculture what proves the advantages of large agricultural enterprises still being the principal producers of agricultural products in Russia. The Federal Lands Cadastre Service of Russia after 2004 Federal Real Estate Cadastre Agency (Rosnedvizhimost) is authorized to manage land resources on the state level. This service is a leader of the Land Administration System in Russian Federation. The Agency has vertical structure of organizing and control with 88 state regional agencies and cadastral chambers in the subjects of Russian Federation.

Besides, the Federal Real Estate Cadastre Agency has got dependent organizations: Federal state unitary enterprises "Federal Cadastral Central Center "Zemlia" (The Land) with 12 branch offices , "State Designing and Research Institute for Land Cadastral Surveys – VISHAGI" with 14 branch offices and " Russian State Center inventory and registration of the real estate – Rostekhinventarizatsiya". The personal of the Federal Real Estate Cadastre Agency of Russia includes more than 30 thousand experts.

Some other ministries and institutions (Ministry of Economical Development and Trade, Federal Agency of property relations, Ministry of nature, Federal Agency on construction and housing, Federal Agency of geodesy and cartography, Ministry of agriculture and others) are authorized to execute some functions connected with the management of land resources of Russia. This causes certain inconveniences and requires that all administrative functions should be brought together.

The following tasks are the principal tasks of Federal Real Estate Cadastre Agency:

- keeping of the state land cadastre, state cadastre registration of plots and relating real estate objects;
 - organization of land management, land use planning
 - state cadastre estimation of lands;
 - monitoring of lands;
- state control over land use and protection of lands.

New Land Code (No: 136-FZ) was put into effect on 25.10.2001 to regulate all land relations in Russian Federation . Necessity of development of common land cadastre in Russia arose in connection with requirements concerning centralization and bringing together registers of various ministries and institutions, which existed till the middle 90s and were duplicates of each other. There were about 60 various cadastres and registers in Russia 10 of which collect information on land plots and other real estate objects. 10 thousand state, municipal and individual organizations were involved in data collection for them.

Recording of the State Land Cadastre is implemented in accordance with Federal Law No: 28-FZ dated 02.01.2000. "On the State Land Cadastre "On the basis of this. Law a Common state register of lands containing exact data regarding the borders parcel boundaries of land plots, real estate objects located on the plots, liabilities connected with them, taxation basis, was put into effect in Russia. Automation databases of this register have accumulated by the beginning of 2005 information about 40 million land plots (100% of total number).

Materials of the land cadastre (papers) also include information on the rest land plots. To keep records for the land cadastre territory of Russian Federation was divided into 841,6 thousand cadastre quarters. To provide converting of information of the land cadastre into digits Government of Russian Federation adopted on 25.10.2001 Decree No: 745 concerning the approval of a special Federal program: "Development of automated system of the state land cadastre records and state registration of real estate objects (for the period 2002-2007)" and subprogram "Creation of the real estate cadastre system (2006-2011)". At present automated program and engineering complexes keeping the state land cadastre work in 950 cadastre regions corresponding municipal regions, and 1211 cadastre regions use non-automated technologies.

Organization of land survey is being fulfilled in Russia in accordance with Federal Law No: 78-FZ dated 18.06.2001 "On Land Management (On Land Use Planning)". Till 1991 there has been well-developed system of land management, which included measures of land use planning, territorial organization, rational land use and protection of the land. At present this system is changing due to the transition to the market economy. The following works are principal works for the land use planning and organizing: - examination of the state of lands including land-surveying and cartography, examination of soil, geo-boating and other researches and surveys, examination of the land quality, inventory of lands:

- planning and organization of rational utilisation of lands and protection of lands;
- territorial organization of lands including development of new and regulating of present ownerships;

- existing land objects as well as land-surveying, land consolidation, land subdivision, reallocation, real property formation;
- utilisation of lands inside farms.

Demarcation and delimitation of land plots within the state border limits of Russian Federation, dividing of lands in relation with forms of property (state, municipal, private) in the country, reallocation of plots to new owners within the process of redistribution of lands, provision of the utilisation and turnover of agricultural lands are the most important at present.

Only in 2002-2004 the Federal Real Estate Cadastre Agency of Russia have implemented works concerning the demarcation of the plots within the state border limits of Russian Federation with the Ukraine, Lithuania, Kazakhstan and Georgia with total length of 3000 km. Besides, some works concerning settlement of borders of national parks in Sverdlov region and Republic of Khakasia were implemented.

The State Cadastre land (real estate) mass valuation in Russian Federation is fulfilled to determine cadastre cost of land plots of various economic purposes and for taxation. The state cadastre valuation of agricultural lands has been successfully fulfilled practically in the whole territory of Russian Federation till 01.01.2003.. The state cadastre valuation on urban areas and establishments were fulfilled in 88 subjects of Russian Federation in 2004. Valuation of forest lands, industrial lands, garden and country-cottage lands was completed also in 2004.

The purpose of the State monitoring of lands is to determine changes of the state of lands, examination and forecast of such changes, recommendations concerning preventive measures and elimination of aftereffects of negative processes, provision of information concerning the state of lands to organizations and citizens. Such monitoring is being implemented on the basis of the Russian Federation Government Decree No: 846, dated 28.11.2002 "On the state monitoring of lands". State (national) report on the state and utilisation of lands in Russian Federation" which reflects data of monitoring of lands, is published annually. Analogue reports are published in most subjects of Russian Federation.

Data of the state monitoring of lands is used for the purpose of the state land control. At present regulation of such control is based on the Russian Federation Government Decree No: 833 dated 19.11.2002 "On the State land control".

At present programming and engineering complexes on automation of the state land control using land and informational systems have been put into operation in 60 organizations in various regions of the country (Moscow, Bryansk, Voronezh, Rostov-Don, Krasnodar and other regions).

Private sector of land utilisation has considerably developed for the period of last 10 years. There are about 3000 private land surveying agencies, association of private land surveyors including 30 thousand people in the country.

Transition of Russian Federation to the market economy, appearance of land market, increase, of the scope of work concerning re-distribution of plots made profession of land surveyor more popular and required more experts in land use. If in 1988 there were only 8 higher schools which trained land surveyors and 13 higher schools which trained engineers in geodesy in Russia, in 2005 there are 61 higher schools training land surveyors of lands and 15 higher schools training engineers in geodesy Besides there were 14 regional educational centres of the Federal cadastre center "Earth" and 4 educational centres within the TESIS project (Moscow, Omsk, Samara, Taganrog) operating within the system of Federal Real Estate Cadastre Agency.

The main educational facilities training specialists for the branch are State University of Land Use Planning (Moscow), Moscow State University of geodesy and cartography, Russian Academy of State Services of Russian Federation President. The above mentioned allows to make the following conclusions.

5. CONCLUSIONS

- Huge territory of Russia and sufficient provision with natural resources make the sphere of rational utilisation of lands the principal source for economic and social development in XXI century, and make land and resource potential the main link for the growth of economy of the state.
- The fact that Russian Federation has been oriented towards market economy in 1991-2005 has considerably changed forms of property of land; land relations and mechanisms of regulation what required the development of new system of management of land resources of the country.
- Organization of modern Land Administration system of Russia is based on the principle of reasonable combination of the state support of the development of rational utilization of lands and protection of lands and the market mechanisms of economy functioning. Beginning from 1991 for the purpose of state regulating of land relations vertical system of management of land resources headed by the Federal Real Estate Cadastre Agency has been developed.
- Taking account positive experience regarding land service in gained till 1990, availability of highly skilled experts in the sphere of organization of utilization of lands, modern system of management of land resources is based on the existing state organizations working in the sphere of organization of utilization of lands and development of private sector in the sphere.

The system covers all parts of functioning of the utilization of lands beginning from land use planning and organization of rational utilization and protection of lands and including land control, joining the world practice of organization of utilization of lands.

BIOGRAPHICAL NOTES

Honoured Scientist of Russian Federation, academician of MAAO, doctor of economic sciences, professor. The rector of State University of Land Use Planning.

Professional experience: an expert of the State Duma of the Council of Federation, a member of the board on land policy of the Federal Agency of real estate cadastre and a member of agrarian policy Council at Ministry of Agriculture, RF, a member of commission of International Federation of Surveyors (FIG).

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